

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MS 03 - 118

JOHN RODGERS,

Case No.: MISC

Plaintiff,

[WASHINGTON STATE SUPERIOR COURT FOR
SNOHOMISH COUNTY; No: 01-2-01295-6]

vs.

PLAINTIFF RODGERS NOTICE OF SUBPOENA
TO PRODUCE DOCUMENTS

HOWARD SHERMAN and JANE DOE
SHERMAN, and the marital community comprised
thereof,

[REDACTED]

Defendant

03-MC-00118-NTC

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Federal Rules of Civil Procedure, Rule, 30, Plaintiff John
Rodgers has scheduled a records deposition and the deponent, VA Puget Sound Health Care System is
requested to produce the following documents at its deposition: **ALL DOCUMENTS, INCLUDING BUT
NOT LIMITED TO REPORTS, OFFICE NOTES, CORRESPONDENCE, PHOTOGRAPHS,
MEDICAL RECORDS, TEST RESULTS, ETC. FOR SHERMAN HOWARD, SSN 404-78-4568, DOB
02/26/1953.**

PLEASE ALSO TAKE NOTICE that the deponent, VA Puget Sound Health Care System is not a
party to this action. So far as known to the deposing party, the deponent's address is 1660 South Columbian
Way, Seattle, WA 98108. Said deponent is being served with a Deposition Subpoena. A copy of the
deposition subpoena is attached.

Dated this 24th day of June, 2003



STEVEN L. SHAW, #33007
LEPLEY & KOEHLER, PLLC;
ATTORNEYS FOR THE
PLAINTIFF

NOTICE OF SUBPOENA - 1

COPY

LePLEY & KOEHLER, PLLC
4122 FACTORIA BLVD. SE, STE 400
BELLEVUE, WASHINGTON 98006
P-425.641.5353 F-425.747.0611

**Issued by the
UNITED STATES DISTRICT COURT**

WESTERN

DISTRICT OF

WASHINGTON

JOHN RODGERS,
Plaintiff.

v.

SUBPOENA IN A CIVIL CASE

CASE NUMBER: MISC.

WASHINGTON STATE SUPERIOR COURT FOR
SNOHOMISH COUNTY; No.01-2-01295-6

HOWARD SHERMAN and JANE DOE
SHERMAN, and the marital
community comprised thereof,
Defendants.

TO: VA Puget Sound Health Care System; Attn Records Custodian
1660 South Columbian Way; Seattle, WA 98108

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): All records, including but not limited to reports, office notes, correspondence, photographs, medical records, test results, etc. for Sherman Howard, SSN 404-78-4568, DOB 2/26/53. Production may be satisfied by mailing copies of documents prior to specified date and time along with bill for copy costs.

PLACE

LePley & Koehler, PLLC; 4122 Factoria Blvd. SE, Suite 400
Bellevue, WA 98006; (425) 641-5353

DATE AND TIME

07/24/2003
10:00a.m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S NAME AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

DATE

Attorney for the Plaintiff

06/24/2003

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

LePley & Koehler, PLLC; Attn: Steven L. Shaw
4122 Factoria Blvd. SE, Suite 400; Bellevue, WA 98006; (425) 641-5353

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

¹ If action is pending in district other than district of issuance, state district under case number.

COPY

AO 88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

DATE

PLACE

SERVED

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in

person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

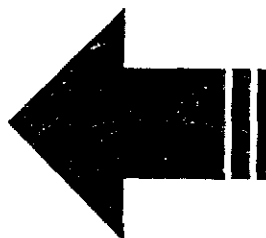
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PATRICK E. DUFFY
CLERK, U.S. DISTRICT COURT
901 Front Street, Suite 2100
Helena, MT 59626
(406)441-1355

FILED
LOGGED
RECEIVED

MAIL

JUN 20 2003



AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

MEMORANDUM

TO: Kathy Ness, Deputy Clerk
U.S. District Court, Western District of Washington
215 William Kenzo Nakamura US Courthouse
Seattle, WA 98104

FROM: Barb Fries, Deputy Clerk

DATE: June 17, 2003

RE: Your No. CR 03-0209P
Our No. CR 96-28-H-CCL-05
USA vs. Thomas Mitchell Fenton

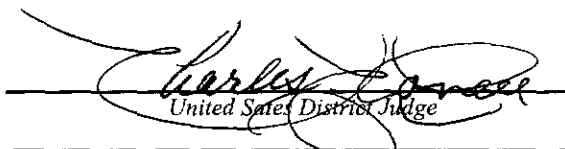

Enclosed please find the Transfer of Jurisdiction on the above signed by both the sending and receiving judges. In that regard, I am enclosing the following:

1. Indictment
2. Judgment
3. Plea Agreement
4. Request for Modifying the Conditions of Supervision.
5. Docket Sheet

If you need anything further, please let me know.



03-CR-00209-MISC

PROB 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) CR 96-28-H-CCL-005	
FILED TRANSFER OF JURISDICTION HELENA DIVISION		CR03	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE 2003 JUN 11 A 8:49 Thomas Mitchell Fenton PATRICIA J. JAMES, CLERK 1507 North 3rd BY _____ Renton, Washington 98055-1542		DISTRICT Montana	
		DIVISION Helena	
NAME OF SENTENCING JUDGE Honorable Charles C. Lovell			
DATES OF PROBATION/ SUPERVISED RELEASE		FROM 6/30/99	TO 6/29/04
OFFENSE Criminal Possession with Intent to Distribute Methamphetamine 18 U.S.C. § 841 <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> KN FILED 6-4-03 LODGED MAY 23 2003 KN </div> <div style="text-align: center;"> ENTERED RECEIVED MAY 20 2003 KN </div> </div>			
PART 1 - ORDER TRANSFERRING JURISDICTION			
AT SEATTLE CLERK U.S. DISTRICT COURT BY _____ DEPUTY UNITED STATES DISTRICT COURT FOR THE _____ DISTRICT OF _____ MONTANA			
<p>IT IS HEREBY ORDERED that, pursuant to 18 U.S.C. 3605, the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the <u>WESTERN DISTRICT OF WASHINGTON</u> upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.*</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <u>5-07-03</u> Date </div> <div style="text-align: center;">  United States District Judge </div> </div>			
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>WESTERN</u> DISTRICT OF <u>WASHINGTON</u>			
<p>IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <u>May 23, 2003</u> Effective Date </div> <div style="text-align: center;">  United States District Judge </div> </div>			

Probation 12B

**UNITED STATES DISTRICT COURT
for
DISTRICT OF MONTANA**

FILED
HELENA DIVISION

2003 MAY -71 A 11: 03

PAUL J. GILBERT, CLERK

BY 213
DEPUTY CLERK

**REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION
WITH CONSENT OF THE OFFENDER**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Thomas Mitch Fenton

Case No: CR 96-28-CCL-05

Name of Sentencing Judicial Officer: Honorable Charles C. Lovell, Senior U.S. District Judge

Date of Original Sentence: June 27, 1997

Original Offense: Conspiracy to Distribute Methamphetamine, 21 U.S.C. § 846

Original Sentence: 29 months custody, followed by 5 years TSR

Type of Supervision: Supervised Release **Date Supervision Commenced:** September 3, 1999

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

The defendant shall serve a term of six (6) months in the pre-release component of the Pioneer Fellowship House in Seattle, Washington. He shall comply with all requirements of this facility.

**** CAUSE ****

As noted above, Mr. Fenton began serving the term of supervised release in this case on September 3, 1999. Shortly after his release, he secured employment at Intermountain Truss in Helena as a laborer. He also began his community service obligation, completing 200 hours in February 2001. He completed the phase urine testing system, providing no positive tests.

Mr. Fenton continued his employment at Intermountain Truss and was eventually promoted to a management position. He established a stable healthy relationship with a young woman named Wendy Sanchez, with whom he shares two children. Her family resides in the Seattle, Washington area and, in late February of 2003, Mr. Fenton requested permission to transfer his supervision to the Western District of Washington. He advised that he hoped to secure an apprenticeship in either the construction or electrical trade, and be better able to provide for his family.

Since that time, the defendant has not complied with the following conditions of supervised release:

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

**Re: Thomas Mitch Fenton
CR 96-28-005-CCL**

Page 2

Violation Number 1: **Standard Condition #9:** You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;

Violation Number 2: **Standard Condition #11:** You shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;

Nature of Non-compliance: On April 17, 2003, Mr. Fenton was stopped by Washington State Trooper M. Goodall near Pateros, Washington. He was questioned regarding the reason he was in that area, his car was searched, and he was subsequently released without being charged. He failed to notify this officer or USPO Tom Fitzgerald of this contact.

On that same date, agents of the U. S Border Patrol and the North Central Washington Drug Task Force (NCWDTF, Okanogan) conducted traffic stops on two other individuals in the same area. One was identified as Paul Miller, who is under federal supervision in the Western District of Washington (Conspiracy to Distribute Cocaine, CR 97-00070P) and had previously been Mr. Fenton's prison cell mate. Mr. Fenton later admitted that he had been in contact with Mr. Miller without the permission of this officer or Officer Fitzgerald.

On April 28, 2003, in a personal interview with this officer and Team Leader/USPO Scott Erickson, Mr. Fenton filled the information gaps left in the above violation information. He advised that when he had first gone to Seattle to search for employment and a residence, he contacted Paul Miller (with whom he admitted maintaining sporadic contact since leaving prison). Miller helped Fenton get into Miller's old apartment.

Mr. Fenton's girlfriend was able to secure employment, and Fenton had some leads when he returned to Montana and this officer formally requested the Western District of Washington to investigate his transfer plan. Mr. Fenton and his family returned to Renton, Washington, where Mr. Fenton continued his job search after checking in with USPO Tom Fitzgerald.

Mr. Fenton advised that he was struggling to find employment that met his needs as well as those of his family, and had to quit one street paving job because the irregular hours were too unpredictable to accommodate day care responsibilities. He expressed this frustration to this officer in a March telephone call; later admitting that he also shared his difficulties with Mr. Miller.

In mid April 2003, Mr. Fenton was approached by an individual named Robert Elhalhuli, an associate of Mr. Miller. Elhalhuli indicated that he knew Fenton was having money troubles and

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

**Re: Thomas Mitch Fenton
CR 96-28-005-CCL**

Page 3

told him he could earn \$500 by following him to the Canadian border. Fenton advised that he was suspicious, and ultimately sure that the purpose of Elhalhuli's trip was illegal; however, he felt desperate and went along.

On April 17, 2003, Elhalhuli, Miller, and Fenton caravanned in three separate vehicles to an area between Oroville and Molson, Washington. Fenton advised that Elhalhuli gave a pre-arranged signal and continued farther while Miller and Fenton waited. When Elhalhuli drove back past them, they turned around and followed him back toward Renton. According to U.S. Border Patrol reports, motion sensors on the Canadian border were triggered at approximately 9:30 p.m.

As noted above, Fenton was pulled over by Washington State Police. Miller was also stopped and released. Agents eventually located and stopped Elhalhuli, who was in possession of approximately 50 pounds of marijuana. He was arrested.

USPO Fitzgerald was contacted by the NCWDTF after they determined that Fenton and Miller were on federal supervision and likely traveling with Elhalhuli. The agents and U.S. Probation Office worked in concert to conduct an interview, search and probable cause arrest of Mr. Fenton on April 25, 2003. The search revealed no contraband, and the defendant cooperated with the agent's questioning.

Based on Mr. Fenton's cooperation with the NCWDTF investigation, and his apparent minimal involvement with Elhalhuli, Mr. Fenton was released on April 25, 2003, with no charges being filed. Mr. Fenton then returned to Montana as instructed to meet with this officer and TL/USPO Erickson on April 28, 2003.

U.S. Probation Officer Recommendation: As reflected in the attached Probation Form 49, it is the recommendation of this officer that the conditions of Mr. Fenton's supervision be modified to allow for a six (6) month placement at the Pioneer Fellowship House (pre-release center) in Seattle, Washington. This recommendation has the full support of the U.S. Probation Office in the Western District of Washington, who have also still agreed to accept the transfer of supervision and jurisdiction in this case.

While this recommendation may seem lenient given the potentially serious ramifications of Mr. Fenton's behavior, it is this officer's opinion that this placement is the most appropriate intervention/sanction at this time.

Mr. Fenton had completed 3½ years of supervised release without a problem, and had been recommended for placement on the administrative caseload at the time of his transfer to Washington. He had established the trust and respect of this officer for his hard work and cooperation with all directives of the probation office.

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

**Re: Thomas Mitch Fenton
CR 96-28-005-CCL**

Page 4

None of this excuses Mr. Fenton's dismally poor judgment; however, conversations with the NCWDTF agents and USPO Fitzgerald confirm this officer's perception of Mr. Fenton's basic character. He presents as appropriately contrite and remorseful, and is genuinely struggling to understand why he would let himself jeopardize all that he has worked so hard to establish. He has also expressed his shame to his angry but still supportive girlfriend, and to his family in Helena.

It is therefore the opinion of this officer that a six month pre-release placement will serve as sufficient punishment, while providing a stable base from which Mr. Fenton can seek employment in the area where his family hopes to remain. It is also recommended that jurisdiction of this case be transferred to the Western District of Washington at this time.

Attached, please find the original Probation Form 49, which contains the necessary signatures. Also attached are three copies of Probation Form 22, Transfer of Jurisdiction, to begin the process of transferring the jurisdiction of this case to Washington.

Reviewed:	Respectfully submitted,
by <u><i>Scott R. Erickson</i></u>	by <u><i>Mark V. Piskolich</i></u>
Scott R. Erickson, Team Leader	Mark V. Piskolich
U. S. Probation Officer	U. S. Probation Officer
<u>5-6-03</u>	<u>5/5/3</u>
Date	Date

THE COURT ORDERS:

☐ No Action

☒ The Modification of Conditions as Noted Above.

☐ Other

This man requires close supervision or he will be in the system again.

Charles J. Connel
Signature of Judicial Officer

5/07/03
Date

UNITED STATES OF AMERICA } ss
DISTRICT OF MONTANA

I, Patrick E. Duffy, Clerk of the United States District Court for the District of Montana, hereby certify that the above and foregoing is a true copy of the original now on file in my office.

Dated this 17th day of

June 2003
PATRICK E. DUFFY, Clerk

By *Danharale-Fries*
Deputy

FILED

entered
JUN 27 1997

LOU ALEKSICH, JR., Clerk

By *D. Trues*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

HELENA DIVISION

UNITED STATES OF AMERICA,

CR 96-28-H-CCL

Plaintiff,

-v-

JUDGMENT

MITCH FENTON,

Defendant.

Defendant Mitch Fenton, having pleaded guilty to Count One of a one-count Indictment charging him with conspiracy to distribute methamphetamine, in violation of 21 U.S.C. § 846, and having appeared before the court for sentencing on June 26, 1997,

IT IS THE JUDGMENT OF THE COURT, pursuant to the Sentencing Reform Act of 1984, that Mitch Fenton is hereby committed to the custody of the Bureau of Prisons for a term of twenty-nine (29) months. This sentence reflects the court's consideration of the government's motion for downward departure pursuant to Rule 35, Fed. R. Crim. P. The court recommends to the Bureau of Prisons that the Defendant be designated for incarceration at a federal boot camp.

Upon release from custody, the defendant shall be placed on

210 Book Vol. 21, Pg 641

supervised release for a term of five (5) years. Within 72 hours of release from custody of the Bureau of Prisons, the Defendant shall report in person to the probation office in the district in which the Defendant is released.

While on supervised release, the defendant shall not commit another federal, state, or local crime, shall not illegally possess a controlled substance, shall not own or possess any firearms or other explosive devices, shall comply with the standard conditions #1-13 that have been adopted by this court, and are attached hereto, and shall comply with the following special conditions:

1. The defendant shall participate in a program of substance abuse treatment, and/or mental health treatment, as approved by the United States Probation Office, which program shall include testing to determine if the defendant has reverted to the use of drugs or alcohol.
2. The defendant shall provide the United States Probation Office with any financial information requested and shall incur no new lines of credit or open additional lines of credit without prior approval of the probation officer;
3. The defendant shall submit his person, residence, place of employment, or vehicle to a search by the United States Probation Office.
4. The defendant shall perform 200 hours of community service at a rate of not less than ten hours per month, as directed by his probation officer.

5. The defendant shall not possess or ingest alcoholic beverages or be on the premises of any establishment where alcohol is the chief item of sale.
6. The defendant shall notify the United States Probation Office at least ten days prior to changing his address.

The court finds that the Defendant does not have the ability to pay a fine.

IT IS FURTHER ORDERED that the government's motion for downward departure pursuant to Rule 35 is GRANTED.

IT IS FURTHER ORDERED that Defendant shall pay to the United States a special assessment of \$50.00, which shall be due immediately.

The court having found that the Defendant is a suitable candidate for voluntary surrender, and is not likely to flee or pose a danger to the safety of any other person in the community,

IT IS FURTHER ORDERED that Defendant surrender himself on the date and at the time designated in writing by the U.S. Marshals Service.

Done and dated this 27 day of June, 1997.


CHARLES C. LOVELL
United States District Judge

UNITED STATES OF AMERICA } ss
DISTRICT OF MONTANA

I, Patrick E. Duffy, Clerk of the United States District Court for the District of Montana, hereby certify that the above and foregoing is a true copy of the original now on file in my office.

Dated this 17th day of

June, 2003

PATRICK E. DUFFY, Clerk

By Barbara D. Fries
Deputy

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;

11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;

12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;

13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

These conditions are in addition to any other conditions imposed by this Judgment.

FILED

JUN 26 1997

LOU ALEKSICH, JR., Clerk
By: *[Signature]*
Deputy Clerk

#142

1 KRIS A. MCLEAN
Assistant U.S. Attorney
2 100 North Park Ave., Suite 100
Helena, Montana 59601
3 Telephone: 406/449-5370
4 ATTORNEY FOR THE UNITED STATES

RECEIVED

JAN 1 1997

Clerk, U.S. District Court
District of Montana
HELENA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 ARTIE SCHILL,
DOUG SCHILL,
13 RON REDFERN,
SCOTT VEGA,
14 MITCH FENTON,
TINA HOLLINS,

15 Defendants.

CR 96-28-H-CCL

**PLEA AGREEMENT FOR
DEFENDANT
MITCH FENTON**

17 Pursuant to Rule 11 of F.R.Crim.P., the United States of America by and through Kris
18 A. McLean, Assistant United States Attorney for the District of Montana, and Mitch Fenton and
19 his attorney, Gregory A. Jackson, have agreed upon the following:

20 1. Defendant acknowledged that he has been charged in the Indictment in this case
21 with knowingly, willfully and unlawfully conspiring, confederating and agreeing to distribute a
22 controlled substance, namely methamphetamine in violation of 21 U.S.C. § 846.

KAM
AUSA

[Signature]
DEFENDANT

[Signature]
DEF. ATTY

1 2. Defendant has read the charge against him contained in the Indictment and those
2 charges have been fully explained to him by his attorney.

3 3. Defendant fully understands the nature and elements of the crime with which he
4 has been charged.

5 4. Defendant will enter a voluntary plea of guilty to the Indictment presently pending
6 against him.

7 5. The parties agree that this Plea Agreement shall be filed and become part of the
8 record in this case and will be governed by F.R.Crim.P. 11(e)(1)(B).

9 6. Defendant will plead guilty because he is in fact guilty of the charge set forth in
10 the Indictment. In pleading guilty, the Defendant acknowledges that from on or about November,
11 1995 and continuing through April, 1996, at Helena, and other locations within the District of
12 Montana, and elsewhere, the defendant Mitch Fenton did knowingly, willfully and unlawfully
13 conspire, confederate and agree to distribute a controlled substance, namely methamphetamine
14 in violation of 21 U.S.C. § 846.

15 7. Defendant understands the charge to which he will plead guilty carries the penalty
16 of not less than five years and not more than 40 years and/or a fine in the amount of
17 \$2,000,000.

18 8. Defendant understands that by pleading guilty he surrenders certain rights,
19 including the following:

20 (a) If defendant persisted in a plea of not guilty to the charges against him, he would
21 have the right to a public and speedy trial. The trial could be either a jury trial or a trial by the
22 judge sitting without a jury.

1/2

AUSA

2

DEFENDANT

DEF. ATTY

1 (b) If the trial is a jury trial, the jury would be composed of twelve laypersons selected
2 at random. Defendant and his attorney would have a say in who the jurors would be by
3 removing prospective jurors for a cause where actual bias or other disqualifications is shown,
4 or without cause by exercising so-called peremptory challenges. The jury would have to agree
5 unanimously before it could return a verdict of either guilty or not guilty. The jury would be
6 instructed that defendant is presumed innocent, and that it could not convict him unless, after
7 hearing all the evidence, it was persuaded of defendant's guilt beyond a reasonable doubt.

8 (c) If the trial is held by the judge without a jury, the judge would find the facts and
9 determine, after hearing all the evidence, whether or not he was persuaded of defendant's guilt
10 beyond a reasonable doubt.

11 (d) At a trial, whether by a jury or a judge, the government would be required to present
12 its witnesses and other evidence against defendant. Defendant would be able to confront those
13 government witnesses and his attorney would be able to cross-examine them. In turn, defendant
14 could present witnesses and other evidence in his own behalf. If the witnesses for defendant
15 would not appear voluntarily, he could require their attendance through the subpoena power of
16 the court.

17 (e) At a trial, defendant would have a privilege against self-incrimination so that he could
18 decline to testify and no inference of guilt could be drawn from his refusal to testify. If
19 defendant desired to do so, he could testify in his own behalf.

20 9. Defendant understands that by pleading guilty he is waiving all the rights set forth
21 in the prior paragraph. Defendant's attorney has explained those rights to him and the
22 consequences of his waiver of those rights.


AUSA

3

DEFENDANT DEF. ATTY

1 10. Defendant will cooperate fully and completely with law enforcement authorities
2 and provide truthful testimony at any proceedings deemed appropriate by the United States
3 Attorney's Office. Should defendant's cooperation prove to be substantial assistance in the
4 prosecution of other individuals, the United States Attorney's Office will move the Court
5 pursuant to Rule 35, Fed.R.Crim.P., for a reduction of sentence. The United States also agrees
6 that the defendant will not be prosecuted for his actions in cooperating with law enforcement.
7 This means that any information of an incriminating character that defendant might reveal,
8 beyond the specific conduct set forth in the Indictment, will not be used against the defendant
9 in determining his applicable guideline range when he is sentenced on the Indictment to which
10 he will plead guilty. Nor shall defendant be prosecuted by the United States in any separate
11 prosecution on the basis of other such information that he might provide. This provision of this
12 agreement is made pursuant to § 1B1.8 of the Uniform Sentencing Guidelines. This agreement
13 not to prosecute does not apply to crimes of violence or false statements.

14 11. The United States Attorney will make no recommendation regarding sentence.

15 12. The United States Attorney and the Defendant, Mitch Fenton agree that sentencing
16 in this matter shall be left to the sound discretion of the Court pursuant to sentencing guidelines.
17 To aid and assist in the preparation of the presentence report the parties stipulate and agree that
18 the defendant's participation in the conspiracy to which he is pleading guilty is limited to an
19 agreement to distribute 283.5 grams of a mixture or substance containing a detectable amount
20 of methamphetamine resulting in a base offense level of 26 pursuant to sentencing guideline
21 section 2D1.1(c)(7).
22


AUSA

DEFENDANT


DEF. ATTY

13. Defendant and his attorney acknowledge that no threats, promises, or representations have been made, nor agreements reached, other than those set forth in this agreement, to induce defendant to plead guilty.

14. Should the Court refuse to accept this Agreement, this Agreement will become null and void and neither party shall be bound thereto.

15. Defendant further agrees that the Sentencing Court must assess a \$50.00 mandatory assessment for each count pursuant to the Comprehensive Criminal Control Act 18 U.S.C. §3013. This assessment is due and payable at the time of sentencing.

This Plea Agreement constitutes the entire agreement between the parties. Any terms or conditions which is not expressly stated as part of this plea agreement is not to be considered part of the Agreement.

DATED this 3rd day of October, 1996.

SHERRY SCHEEL MATTEUCCI
United States Attorney

K. A. McLean
KRIS A. McLEAN
Assistant U. S. Attorney

Mitch Fenton
MITCH FENTON DATE
Defendant

G. A. Jackson
GREGORY A. JACKSON DATE
Counsel for Defendant

UNITED STATES OF AMERICA } ss
DISTRICT OF MONTANA }
I, Patrick E. Duffy, Clerk of the United
States District Court for the District of
Montana, hereby certify that the above
and for which is a true copy of the
original on file in my office.
Dated this 17th day of June 2003
PATRICK E. DUFFY, Clerk
By *Barbara A. Frie*
Deputy

10M
AUSA
5

DEFENDANT DEF. ATTY

1 KRIS A. MCLEAN
Assistant U.S. Attorney
2 100 North Park Ave., Suite 100
Helena, Montana 59601
3 Telephone: 406/449-5370

4 ATTORNEY FOR THE UNITED STATES

FILED

'99 JUN 26 AM 11 06

CLERK
Carol A. Dahley

5
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF MONTANA
8 HELENA DIVISION

9 UNITED STATES OF AMERICA,
10 Plaintiff,

11 vs.

12 ARTIE SCHILL,
13 DOUG SCHILL,
14 RON REDFERN,
15 SCOTT VEGA,
MITCH FENTON,
TINA HOLLINS,

16 Defendants.

CR 96-~~18~~H-CCL

17 INDICTMENT

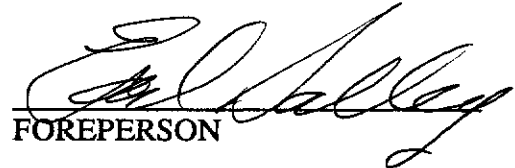
18 THE GRAND JURY CHARGES:

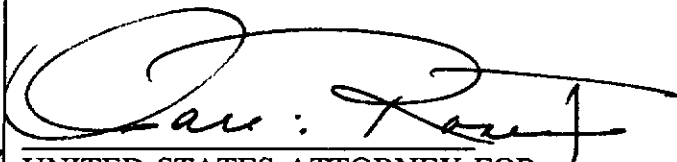
19 COUNT I

20 That from on or about November, 1995 and continuing through April, 1996, at Helena,
21 and other locations within the District of Montana, and elsewhere, the defendants Artie Schill,
22 Doug Schill, Ron Redfern, Scott Vega, Mitch Fenton, and Tina Hollins, and unindicted co-

1 conspirators Lori Roeder, Tina Nicola, John Barnicoat, Janet Leonard, and Kevin Leonard did
2 knowingly, willfully and unlawfully conspire, confederate and agree to distribute a controlled
3 substance, namely methamphetamine in violation of 21 U.S.C. § 846.

4 A TRUE BILL.

5
6 
FOREPERSON

7
8 

9 UNITED STATES ATTORNEY FOR
THE DISTRICT OF MONTANA

Crim. Summons

Warrant: all dft's

Bail: No Bond

10
11
12
13
14
15 UNITED STATES OF AMERICA } ss
DISTRICT OF MONTANA

16 I, Patrick E. Duffy, Clerk of the United
17 States District Court for the District of
18 Montana, hereby certify that the above
and foregoing is a true copy of the
original now on file in my office.

Dated this 17 day of

19 June 2003
20 PATRICK E. DUFFY, Clerk
21 By Bushnell Jones
22 Deputy

TERMED

U.S. District Court
U.S. District Court of Montana (Helena)

CRIMINAL DOCKET FOR CASE #: 96-CR-28-ALL

USA v. Schill, et al
Dkt # : is 3:96-m -00558

Filed: 08/26/96

Case Assigned to: Judge Charles C. Lovell

ARNIE SCHILL (1)
aka
Artie Schill
defendant
[term 06/27/97]

James B. Obie
[COR LD NTC ret]
ATTORNEY AT LAW
2031 11th Ave
Helena, MT 59601
406-443-5043
FTS 442-9937

Pending Counts:

NONE

Terminated Counts:

Disposition

21:846=CD.F CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE (Meth)
(1)

Committed to custody of BOP 56
mos. Supervised Release 5
yrs. Pay special assessmt of
\$100.00
(1)

Offense Level (disposition): 4

Complaints:

NONE

=====

UNITED STATES OF AMERICA } ss
DISTRICT OF MONTANA

I, Patrick E. Duffy, Clerk of the United
States District Court for the District of
Montana, hereby certify that the above
and foregoing is a true copy of the
original now on file in my office.

Dated this 17 day of

June 20 03
PATRICK E. DUFFY, Clerk

By Paula A. Davis
Deputy

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

Case Assigned to: Judge Charles C. Lovell

DOUG SCHILL (2)
defendant
[term 08/08/97]

Laurence J. Ginnings
[term 08/08/97]
[COR LD NTC cja]
GINNINGS LAW OFFICE
222 E Pine
P O Box 7008
Missoula, MT 59807-7008
406-728-7177

Pending Counts:

Disposition

21:844A=CP.M CONTROLLED
SUBSTANCE - POSSESSION
Methamphetamine
(1s)

Three yrs probatn, w/10 mos at
Butte Pre-Release Center.
Pay fine of \$25,00. Pay spl
assmt of \$50.
(1s)

Offense Level (opening): 3

Terminated Counts:

Disposition

21:846=CD.F CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE (Meth)
(1)

Dismissed.
(1)

Offense Level (disposition): 4

Complaints:

NONE

=====

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

Case Assigned to: Judge Charles C. Lovell

RON REDFERN (3)
defendant
[term 09/05/97]

Bruce C. Gobeo
[term 09/05/97]
[COR LD NTC cja]
GOBEO LAW OFFICES
Box 3915
Missoula, MT 59806-3915
406-542-8223

Michael Donahoe
[COR LD NTC pdal]
FEDERAL DEFENDERS OF MONTANA -
HELENA BRANCH
PO Box 250
Helena, MT 59624-0250
406-449-8381
FTS 449-5651

Pending Counts:

Disposition

21:846=CD.F CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE (Meth)
(1)

Remanded CAG 42 mos. Supv rels
5 yrs. Pay spl assmt of
\$100. PURSUANT TO revocation
hrg 2/27/03, deft remanded CAG
12 mos. On supv rels 24 mos.
(1)

Offense Level (opening): 4

Terminated Counts:

NONE

Complaints:

NONE

=====

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

Case Assigned to: Judge Charles C. Lovell

CHRISTOPHER SCOTT VEGA (4)
aka
Scott Vega
defendant
[term 06/27/97]

Douglas D. Harris
[COR LD NTC cja]
DOUGLAS HARRIS LAW OFFICE
PO Box 7937
Missoula, MT 59807-7937
406-549-5176
FTS 549-5177

Pending Counts:

NONE

Terminated Counts:

Disposition

21:846=CD.F CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE , meth.
(1s)

Committed to custody of BOP 144
mos. On supv rels 5 yrs.
Pay spl assmt of \$50.
(1s)

21:846=CD.F CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE (Meth)
(1)

Committed to custody of BOP 144
mos. On supv rels 5 yrs.
Pay spl assmt of \$50.
(1)

Offense Level (disposition): 4

Complaints:

NONE

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Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

Case Assigned to: Judge Charles C. Lovell

MITCH FENTON (5)
defendant
[term 06/27/97]

Gregory A. Jackson
[term 11/20/97]
[COR LD NTC ret]
JACKSON LAW FIRM
320 11th Avenue
Helena, MT 59601
406-443-2140
FTS 443-3727

Edmund F. Sheehy, Jr.
FTS 728-0276
406-549-8760
[COR LD NTC ret]
CANNON & SHEEHY
Box 5717
2031 Eleventh Avenue
Helena, MT 59604-5717
406-442-9930
FTS 442-9937

Pending Counts:

NONE

Terminated Counts:

Disposition

21:846=CD.F CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE (Meth)
(1)

Committed to custody of BOP 29
mos. On supv rels 5 yrs.
Pay spl assmt of \$50.
(1)

Offense Level (disposition): 4

Complaints:

NONE

=====

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

Case Assigned to: Judge Charles C. Lovell

TINA HOLLINS (6)
defendant
[term 06/27/97]

Richard J. Pyfer
[COR LD NTC cja]
SMALL, HATCH, DOUBEK & PYFER
P.O. Box 236
307 N Jackson
Helena, MT 59624
406-442-7830
FTS 442-7839

Pending Counts:

NONE

Terminated Counts:

Disposition

21:846=CD.F CONSPIRACY TO
DISTRIBUTE CONTROLLED
SUBSTANCE (Meth)
(1)

Committed to custody of BOP 15
mos, to be srvd in
appropriate community
corrections component of pre-
release center near her home
in Oregon, w/credit for time
served. On supv rels 48
mos. Pay spl assmt of \$100.
(1)

Offense Level (disposition): 4

Complaints:

NONE

=====

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

Case Assigned to: Judge Charles C. Lovell

DOUG SCHILL (7)
defendant
[term 08/08/97]

Pending Counts:

NONE

Terminated Counts:

NONE

Complaints:

NONE

U. S. Attorneys:

Kris A. McLean
[COR LD NTC]
OFFICE OF THE U.S. ATTORNEY
PO Box 8329
Missoula, MT 59807
406-542-8851
FTS 542-1476

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 8/26/96 1 INDICTMENT by USA Counts filed against Artie Schill (1) count(s) 1, Doug Schill (2) count(s) 1, Ron Redfern (3) count(s) 1, Scott Vega (4) count(s) 1, Mitch Fenton (5) count(s) 1, Tina Hollins (6) count(s) 1 Grand Jury held at Great Falls, MT (cc: USA, USM, PROB) (baf) [Entry date 08/29/96]
- 8/26/96 -- ARREST Warrants issued for Artie Schill, Doug Schill, Ron Redfern, Scott Vega, Mitch Fenton, Tina Hollins by Mag Judge Robert M. Holter dlv orig and 1 w/cert copy of indct to USM in Great Falls, MT for service (cc:USA, USM, PROB) (baf) [Entry date 08/29/96]
- 8/26/96 2 MOTION to seal indictments by USA as to Artie Schill, Doug Schill, Ron Redfern, Scott Vega, Mitch Fenton, Tina Hollins. (seal) [Entry date 09/05/96]
- 8/26/96 3 ORDER by Judge Charles C. Lovell granting motion to seal indictments [2-1]. ORDERED that all indictmts returned by the Gr. Jury on August 21 & 22, 1996 are sealed, with the exception of a few listed. FURTHER ORDERED that this order and the underlying motion to seal are not sealed docs. (seal) [Entry date 09/05/96]
- 9/3/96 4 CJA Form 23 (Financial Affidavit) as to Scott Vega (seal) [Entry date 09/14/96]
- 9/3/96 5 MINUTES: before Mag Judge Leif B. Erickson; Spcl AUSA Robert Zimmerman and dft w/atty Douglas D. Harris, present, dft in custody, arrested this date; crt reviews dft's CJA 23 and recs appt of atty Harris; initial appearance of Scott Vega;; dft Scott Vega arraigned; Not Guilty plea entered; trial set for 10/15/96 at 9:30 a.m., Helena; discovery disclosure deadline is 9/10/96 and motion filing deadline is 9/17/96; location: custody pending trial C/R: Julie Lake (seal) [Entry date 09/14/96] [Edit date 09/22/96]
- 9/3/96 6 FINDINGS AND RECOMMENDATION recommending appointment of atty Douglas D. Harris to represent dft Vega by Mag Judge Leif B. Erickson (cc: all counsel) (seal) [Entry date 09/14/96] [Edit date 09/22/96]
- 9/3/96 7 ORDER of Detention Pending Trial by Mag Judge Leif B. Erickson as to Scott Vega (cc: all counsel) (seal) [Entry date 09/14/96]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 9/4/96 8 ORDER by Judge Charles C. Lovell The 10/15/96 trial date is vacated and the case is now set for 9:30 10/28/96 at Helena, MT for Scott Vega. Govt to disclose Rule 16 and exculpatory info by 9/10/96. All PT motns and brfs due by 9/17/96, rspns brfs by 9/30/96; rply brfs if any or written notc of none by 10/7/96. Rqsts for extensn due 5 days prior to filing ddlines. Any PA due Hlna by 10/14/96. Motns for enlgmt of time to file PA or seeking contin of trl date due by 10/14/96. Absent a signed PA or motn to contin trl date 10/14/96, clrk to ord jury 10/15/96. Prop voir dire, jry instrns and govt trial brfs due by 10/18/96. (cc: Harris, AUSA-Hlna, CCL,CLK,USM,PO,RPR, JRY CLRK (seal) [Entry date 09/05/96] [Edit date 09/14/96]
- 9/5/96 9 CJA Form 23 (Financial Affidavit) as to Doug Schill (seal) [Entry date 09/14/96]
- 9/5/96 10 CJA Form 23 (Financial Affidavit) as to Ron Redfern (seal) [Entry date 09/14/96]
- 9/5/96 11 CJA Form 23 (Financial Affidavit) as to Mitch Fenton (seal) [Entry date 09/14/96]
- 9/5/96 -- ARREST of defendant Ron Redfern, defendant Mitch Fenton on 9/4/96 (seal) [Entry date 09/22/96]
- 9/5/96 -- ARREST of defendant Doug Schill on 9/5/96 (seal) [Entry date 09/22/96]
- 9/5/96 12 MINUTES: before Mag Judge Leif B. Erickson; Spcl AUSA Robert Zimmerman, dft Doug Schill w/atty Laurence Ginnings, dft Ron Redfern w/atty Bruce Gobeo, and dft Mitch Fenton w/atty Timothy Lape present, dfts in custody; crt reviews dfts' Financial Affidavits; dft Fenton advises that atty Greg Jackson has been or is being retained to represent him; crt recommends appointment of counsel Ginnings and Gobeo to represent defendants D. Schill and Redfern throughout this case and appointment of atty Lape to represent dft Fenton for initial appearance only; initial appearance of Doug Schill, Ron Redfern, Mitch Fenton dfts Doug Schill, Ron Redfern, Mitch Fenton arraigned; Not Guilty pleas entered; trial set 10/28/96 at 9:30 a.m., Helena; discovery disclosure deadline is 9/12/96 and motion filing deadline is 9/19/96; location: dfts D. Schill, Redfern and Fenton remanded to custody pending hearing on 9/10/96 at 1:30 p.m. unless release conditions can be agreed upon prior to that time C/R: Greg Frank (seal) [Entry date 09/22/96]
- 9/5/96 13 FINDINGS AND RECOMMENDATION recommending appointment of atty Laurence Ginnings for dft D. Schill by Mag Judge Leif B. Erickson (cc: all counsel) (seal) [Entry date 09/22/96]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 9/5/96 14 FINDINGS AND RECOMMENDATION recommending appointment of atty Gobeo for dft Redfern by Mag Judge Leif B. Erickson (cc: all counsel) (seal) [Entry date 09/22/96]
- 9/5/96 15 FINDINGS AND RECOMMENDATION recommending appointment of atty Lape for dft Fenton for initial appeaerance only by Mag Judge Leif B. Erickson (cc: all counsel) (seal) [Entry date 09/22/96]
- 9/5/96 16 ORDER of Detention Pending Hearing on 9/10/96 at 1:30 p.m. by Mag Judge Leif B. Erickson as to Doug Schill (cc: all counsel) (seal) [Entry date 09/22/96]
- 9/5/96 17 ORDER of Detention Pending hearing on 9/10/96 at 1:30 p.m. by Mag Judge Leif B. Erickson as to Ron Redfern (cc: all counsel) (seal) [Entry date 09/22/96]
- 9/5/96 18 ORDER of Detention Pending Hearing on 9/10/96 at 1:30 p.m. by Mag Judge Leif B. Erickson as to Mitch Fenton (cc: all counsel) (seal) [Entry date 09/22/96]
- 9/5/96 19 ORDER setting conditions of release for Ron Redfern (OR w/conditions: maintain/seek employment; no travel outside Montana without permission of PTS; rpt to PTS as directed; no firearms, alcohol, bars, illegal drugs; submit to random urinalysis and breathalyser testing) by Mag Judge Leif B. Erickson (seal) [Entry date 09/22/96]
- 9/5/96 20 ORDER setting conditions of release for Mitch Fenton (OR w/conditions: maintain/seek employment; no travel outside Montana without permission from PTS, avoid contact with all codefendants; rpt to PTS as directed; no firearms, alcohol, bars, illegal drugs, submit to randon urinalysis and breathalyser testing) by Mag Judge Leif B. Erickson (seal) [Entry date 09/22/96]
- 9/5/96 21 MINUTES: before Mag Judge Leif B. Erickson; detention hearings scheduled for 9/10/96 for dfts Redfern and Fenton vacated, said defendants having now been released (seal) [Entry date 09/22/96] [Edit date 09/22/96]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 9/10/96 22 MINUTES: before Mag Judge Leif B. Erickson; Spcl AUSA Robert Zimmerman and dft w/atty Laurence Ginnings present; govt now recommends dft be released upon posting of \$500.00 cash bond and confirming bed date at MCDC, and to comply with conditions: maintain/seek employment; no travel outside Lewis & Clark County without permission of PTS; rpt to PTS as directed; no firearms, alcohol, illegal drugs; submit to random urinalysis and breathalyser; enter and complete inpatient treatment and follow all recommendations for after care counseling; dft accepts said conditions and court orders dft be released after posting bond and submitting verification of bed date at MCDC, and that he then comply with conditions listed above; detention hearing vacated;; location: custody pending posting of cash bond and submitting verification of MCDC bed date; C/R: Tammy Stuckey (seal) [Entry date 09/22/96]
[Edit date 09/22/96]
- 9/10/96 23 ORDER SETTING CONDITIONS OF RELEASE as to defendant Doug James Schill; deft to be released upon posting of \$500.00 cash bond and submitting verification of bed date at MCDC, to then comply with conditions: maintainn/seek employment; no travel outside MT w/o permission of PTS, rpt to PTS as directed, no guns, alcohol, illegal drugs, submit to ramdon urinalysis and breathalyser testing, enter and complete inpatient treatment and follow all recommendations for after care counseling by Mag Judge Leif B. Erickson (cc: all counsel) (seal) [Entry date 09/22/96]
[Edit date 09/22/96]
- 9/10/96 -- Bond Posted (\$500.00 cash) by Doug Schill, receipt No. 16672 (seal) [Entry date 09/22/96] [Edit date 09/22/96]
- 9/10/96 28 ARREST Warrant returned executed as to defendant Scott Vega ; defendant arrested on 9/3/96 (seal) [Entry date 09/24/96]
- 9/13/96 24 MINUTES: before Mag Judge Leif B. Erickson; crt having been notified by USMS that dft D. Schill has 9/25/96 date for admission to MCDC, dft ordered released from custody on conditions previously ordered. (seal)
[Entry date 09/22/96]
- 9/16/96 25 MOTION for order to try indictments of this case and that of USA vs. Norma and Scott Vega, CR 96-2-H-CCL together as a single indictment - by Scott Vega w/c/s (seal)
[Entry date 09/24/96]
- 9/16/96 26 ARREST Warrant returned executed as to defendant Mitch Fenton ; defendant arrested on 9/5/96 (seal)
[Entry date 09/24/96]
- 9/16/96 27 ARREST Warrant returned executed as to defendant Doug Schill ; defendant arrested on 9/5/96 (seal)
[Entry date 09/24/96]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 9/16/96 29 ORDER by Judge Charles C. Lovell adopting findings and recommendations motion FINDINGS AND RECOMMENDATION recommending appointment of atty Laurence Ginnings for dft D. Schill [13-1]. If later determined to have funds avail to pay own atty fees, crt to consider ordering repymt. (cc: Ginnings, McLean, Gobeo, Harris, Jackson, CCL, FD) (seal) [Entry date 09/24/96]
- 9/16/96 30 ORDER by Judge Charles C. Lovell adopting findings and recommendations motion FINDINGS AND RECOMMENDATION recommending appointment of atty Lape for dft Fenton for initial appearance only [15-1]. If later found to have funds avail to pay own atty fees, crt will consider ordering repymt. (cc: Lape, Jackson, McLean, Ginnings, Gobeo, Harris, CCL, FD) (seal) [Entry date 09/24/96]
- 9/16/96 31 ORDER by Judge Charles C. Lovell adopting findings and recommendations motion FINDINGS AND RECOMMENDATION recommending appointment of atty Gobeo for dft Redfern [14-1]. If later determined to have funds avail to pay own atty fees, crt will consider ordering repymt. (cc: Gobeo, McLean, Ginnings, Harris, Jackson, CCL, FD) (seal) [Entry date 09/24/96]
- 9/16/96 32 ORDER by Judge Charles C. Lovell ; jury trial set for 9:30 10/28/96 for Doug Schill, for Ron Redfern, for Scott Vega, for Mitch Fenton. Re D. Schill, Redfern and Fenton, govt to disclose Rule 16 and exculpatory info by 9/12/96. Re all dfts, all pt motns and supptg brfs due by 9/19/96, rspnsv brfs by 10/3/96; rply brfs, if any or written notc of none by 10/10/96. Rqsts for extnsn due by 5 days prior to filing ddlines. Any PA due Hlna by 10/14/96. Motns for enlgmt of time to file PA or seeking continuance of trial date due Hlna by 10/14/96. Absent a signed PA or motn to contin trl date by 10/14/96, clrk to order jry on 10/15/96. Prop voir dire, jry instrns or trial brfs due by 10/18/96. (cc: McLean, Ginnings, Gobeo, Harris, Jackson, CCL, Fed Dfndr, Jry clrk) (seal) [Entry date 09/24/96]
- 9/17/96 33 RULE 40 Documents received from District of Oregon as to defendant Tina Hollins as follows: Minutes of 9/10/96 Initial Aprnc; Minutes of 9/11/96 Detention Hrg.; Waiver of Rule 40 Hrgs; Order of Removal; Order Setting Conditions of Release; docket sheet. (seal) [Entry date 09/24/96] [Edit date 09/24/96]
- 9/17/96 34 ORDER by Judge Charles C. Lovell adopting findings and recommendations motion FINDINGS AND RECOMMENDATION recommending appointment of atty Douglas D. Harris to represent dft Vega [6-1]. If dft later determined to have funds avail to pay own atty fgees, crt will consider ordering repymt. (cc: McLean, Ginnings, Gobeo, Jackson, CCL, Fed Dfndr) (seal) [Entry date 09/24/96]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

[Edit date 09/24/96]

- 9/23/96 35 NOTICE of intent to plead glty by Mitch Fenton w/c/s (seal)
[Entry date 09/24/96]
- 9/23/96 41 MOTION to extend time to file brief in suppt of his motn
for trial together of indictments by Scott Vega w/c/s
(seal) [Entry date 10/01/96]
- 9/23/96 42 AMENDED MOTION for trial together of indictments in this
case and CR 96-2-H-CCL, by Scott Vega wcs (seal)
[Entry date 10/01/96]
- 9/24/96 36 MINUTES before Mag Judge Robert M. Holter: AUSA/Harper,
deft cnsl/John Keith, deft & USPO/Bruce Watters present;
dft Tina Hollins arraigned; NOT GUILTY plea entered to all
charges; Attorney John Keith present for this hrg only; CJA
23 filed. Crt advises deft that a trial date will be set by
Judge Lovell. Deft released O/R w/o obj, subj to
conditions: (1)make all crt appearances; (2)under
supervision of PT Svc; (3)submit name & address of nearest
living relative to PT Svc; (4)not use alcohol/drugs;
(5)submit to urinalysis; (6)submit to search; (7)weekly
contact w/PT Svc. location: LR. C/R: Anne Perron (Great
(seal) [Entry date 09/24/96]
- 9/24/96 37 CJA Form 23 (Financial Affidavit) as to Tina Hollins (seal)
[Entry date 09/24/96]
- 9/24/96 38 ORDER setting conditions of release for Tina Hollins (O/R
release; No Bond) by Mag Judge Robert M. Holter; cpys to
cnsl, deft, USM, USPO (seal) [Entry date 09/24/96]
- 9/26/96 39 CJA Form 20 (Attorney Payment Voucher) as to Tina Hollins
(seal) [Entry date 09/26/96]
- 9/27/96 40 ARREST Warrant returned executed as to defendant Tina
Hollins ; defendant arrested on 9/10/96 (seal)
[Entry date 09/27/96]
- 10/2/96 43 ORDER by Judge Charles C. Lovell ; jury trial set for
9:30 11/18/96 for Artie Schill, for Doug Schill, for Ron
for Scott Vega, for Mitch Fenton, for Tina Hollins - govt
to discl exculpatory info by 10/3/96, all pretrial mtns by
10/10/96, resp briefs by 10/25/96, rply briefs by 11/1/96,
p/a by 11/4/96, clerk to order jury 11/5/96, prop voir dire
and jury inst due 11/8/96, govt trial brief due 11/8/96
(cc: Jackson, Harris, Gobeo, Ginnings, McLean, CCL, Clk,
USM, PRO, Gayle - dmz for baf) (seal) [Entry date 10/09/96]
- 10/3/96 44 ORDER by Mag Judge Robert M. Holter as to Tina Hollins
John Keith (cc: all counsel) (seal) [Entry date 10/09/96]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

10/4/96 45 ORDER by Judge Charles C. Lovell as to Tina Hollins - Richard J. Pyfer to represent for proceedings other than initial appearance (cc: Jackson, Gobeo, Harris, Ginnings, McLean, Pyfer) (seal) [Entry date 10/09/96]

10/4/96 46 ORDER by Judge Charles C. Lovell for order as to Scott Vega, and ; change of plea hearing set for 9:30 10/28/96 (cc: Jackson, Gobeo, Harris, Ginnings, McLean, Pyfer, Tina, USM, PRO, CCL, TC) (seal) [Entry date 10/09/96]

10/4/96 -- PROPOSED p/a submitted by defendant Scott Vega is in file CR-92-2-H-CCL (seal) [Entry date 10/09/96]

10/10/96 47 MOTION for discovery by Doug Schill w/c/s (seal) [Entry date 10/18/96]

10/15/96 53 CJA Form 20 (Attorney Payment Voucher No. 0733009) to Tim Lape, approved for \$108 as to Mitch Fenton (seal) [Entry date 10/23/96]

10/17/96 48 RESPONSE by USA to Doug Schill's motion for discovery [47-1] w/c/s (seal) [Entry date 10/18/96]

10/18/96 49 SUPERSEDING Information by USA naming Scott Vega (4) count(s) 1s (seal) [Entry date 10/18/96]

10/18/96 50 WAIVER of indictment by Scott Vega (seal) [Entry date 10/18/96]

10/18/96 51 MINUTES: before Judge Charles C. Lovell. Dft S/E. Reviewed chrgs and plea agmt w/cns1. Satisf w/cns1 and signed PA. Found competent to enter plea. He underst chrgs & penalties, plea voluntary and supptd by facts. Rdg waived. Guilty plea entered by Scott Vega to felony information. Sentencing hearing set for 10:30 1/17/97 at Helena, MT for Scott Vega. Dft to remain in custody of USM. C/R: Tina Brilz (seal) [Entry date 10/18/96]

10/18/96 52 STENO NOTES of proceedings before Judge Charles C. Lovell (Court Reporter: Tina Brilz) Hearing date: 1/18/96 minutes Change of plea, Christopher Scott Vega [51-3] (seal) [Entry date 10/18/96]

10/28/96 54 MEMORANDUM by Doug Schill in support of [47-1] motion for discovery. w/c/s (seal) [Entry date 11/04/96]

10/30/96 55 TRANSCRIPT of proceedings for the following date(s): 10/18/96 held in Helena, MT on chg of plea-S.Vega (Re:) (seal) [Entry date 11/04/96]

11/1/96 56 MOTION to extend plea agmt ddline by Mitch Fenton w/c/s (seal) [Entry date 11/04/96]

Proceedings include all events.

TERMED

6:96cr28-ALL USA v. Schill, et al

- 11/1/96 57 MOTION for writ of habeas corpus to produce Artie Schill on 11/18/96 9:30 a.m. Hlna by USA as to Artie Schill (seal) [Entry date 11/04/96]
- 11/4/96 60 MOTION for extension of time to file plea agreement and to continue trial by Doug Schill w/c/s (seal) [Entry date 11/08/96]
- 11/5/96 58 PETITION for writ of Habeas Corpus (ad prosequendum) by USA as to Artie Schill (seal) [Entry date 11/07/96]
- 11/5/96 59 ORDER by Mag Judge Leif B. Erickson granting motion for writ of Habeas Corpus (ad prosequendum) [58-1] (cc: all counsel) (seal) [Entry date 11/07/96]
- 11/5/96 -- WRIT of Habeas Corpus ad Prosequendum issued for production of Artie Schill for court on 11/26/96 at 1:30 p.m., Missoula, before USMJ Erickson; original and copy of writ w/certified copy of Order to USM/Blgs; copy of order and writ to McLean, copies of writ to USM/Msla, USPO/Msla and Martin-Lake & Associates (seal) [Entry date 11/07/96]
- 11/5/96 61 MOTION to enlarge filing time for plea agreement and to join motion to continue trial of Doug Schill [60-1] by Ron Redfern w/c/s (seal) [Entry date 11/08/96] [Edit date 11/08/96]
- 11/6/96 62 ORDER by Judge Charles C. Lovell granting motion to continue trial [60-1], granting motion to join motion to continue trial of Doug Schill [60-1] [61-1] as to Doug Schill granting motion to extend plea agmt ddline [56-1]. All delay occfasioned by the cont will be excluded form dfts' speedy trial calculations. Delay attributable to filing, briefing and deciding of pretrial mots will be excluded. Jury trial set for 11/18/96 is vacated and now set for 9:30 1/6/97 at Helena. Deadline for filing plea agreement is extended to 12/23/96. Any party seeking cont of trial date shall file mot on or bef 12/23/96. In absence of plea agreement or mot to cont trial date by 12/23/96, Clk will order jury on 12/24/96. Proposed voir dire and jury instructions shall be on file by 12/27/96. The Gov shall submit trial brf on or bef 12/27/96, need not be srvd on dfns cnsl. Dfns cnal may, but not req to, submit same and need not srv gov. cc: CCL, Clk, USM, Prob, Crt Rpr, McLean, Dfns cnsl-5 (seal) [Entry date 11/08/96] [Edit date 11/08/96]
- 11/25/96 64 ARREST Warrant returned executed as to defendant Artie Schill ; defendant arrested on 11/18/96 (baf) [Entry date 12/02/96]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 11/26/96 63 MINUTES before Mag Judge Robert M. Holter regarding [1-1]: AUSA/Harper, deft cns1/James Obie, deft/Arnie Schill & USPO/Watters present. Deft ATN (Arnie); deft has cpy of indict & waives reading; AUSA adv re charges & possible penalties. Crt adv deft re his rights; Deft Artie Schill pleads NOT GUILTY to charges of indict. Crt advises deft that CCL will set trial schedule. AUSA/Harper advises that deft is writ from Washington Cnty Jail in Hillsboro, OR. USPO recommends detention. AUSA moves for detainer; Crt orders federal detainer placed on deft. Crt orders deft deft remanded to custody of USM for detention pending trial & requirements of CCL. location: LC. C/R: Lisa Lewis (GF) (seal) [Entry date 11/26/96] [Edit date 11/26/96]
- 11/27/96 65 ORDER by Judge Charles C. Lovell finding that all delay occasioned by a continuance of the trial setting to be excluded from dfts speedy trial calc purs to 18:3161(h)(8)(A). Delay attributable to filing, briefing and deciding of PT motns to be excluded purs to 18:3161(h)(1)(F) & (J). ORDERED THAT 1/6/97 jury trial setting is vacated and is now reset for 9:30 1/13/97 at Helena, MT for Artie Schill, for Doug Schill, for Ron Redfern, for Christopher Scott Vega, for Mitch Fenton, for Tina Hollins ;Pertaining to Artie Schill only, govt to disclose Rule 16 and exculpatory info by 12/4/96. All pretrial motions and brfs are due 12/11/96, with respns brfs due 12/26/96 and rply brfs or written notc of none by 1/3/97 for Artie Schill. Any PA due by 12/30/96. Motns for enlgmt of time to file PA or seking contin of trial date due by 12/30/96. Absent signed PA or motn to contin trial date by 12/30/96, clrk to order jry on 12/31/96. Prop voir dire, jury instrns and trial brfs due by 1/3/97. (cc: tMcLean, Obie, Ginnings, Gobeo, Harris, Jackson, Pyfer, CCL, CLK, USM, PO, RPR) (baf) [Entry date 12/02/96]
- 12/2/96 66 NOTICE by USA of Disclosure of Evidence, w/c/s (baf) [Entry date 12/02/96]
- 12/6/96 67 ORDER by Judge Charles C. Lovell as to Artie Schill. Ordered that Mr. Obie is apptd to rep dft Arnie Schill for the arraignmt and for the propose of obtaining and filling a fully completed and signed financial affidavit, said affdt to be filed by 12/13/96. Upon examination of the affdvt, the crt will determine whether or not Mr. Schill is entitled to have the court appt cns1 for him under the Criminal Justice Act. (cc: Obie, Gobeo, Ginnings, Harris, Jackson, Pyfer, McLean, Fed Dfndr, CCL). (baf) [Entry date 12/12/96]
- 12/12/96 68 MOTION to extend time to file pretrial motions and Supporting Briefs by Tina Hollins w/c/s (gar) [Entry date 12/13/96]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

12/13/96 69 ORDER by Judge Charles C. Lovell granting motion of Tina Hollins to extend time to file pretrial motions [68-1] ; pretrial motions and briefs set for 12/18/96 for Tina Hollins (cc: Clk, McLean, Obie, Ginnings, Gobeo, Harris, Jackson, Pyfer) (gar) [Entry date 12/13/96]

12/17/96 70 CJA Form 23 (Financial Affidavit) as to Artie (Arnie) Schill (dmz) [Entry date 12/23/96]

12/18/96 71 ORDER by Judge Charles C. Lovell as to Artie (Arnie) Schill (cc: Donhoe, AUSA, CCL, TC, Obie) (dmz) [Entry date 12/23/96]

12/18/96 72 MOTION to suppress documents not produced prior to the ddl for production of documents by Tina Hollins (dmz) [Entry date 12/23/96]

12/18/96 73 MOTION to produce stmts of admissions or confessions and to suppress such evidence by Tina Hollins (dmz) [Entry date 12/23/96]

12/18/96 73 MEMORANDUM by defendant Tina Hollins in support of [73-1] (dmz) [Entry date 12/23/96]

12/18/96 73 MOTION for discovery info by Tina Hollins (dmz) [Entry date 12/23/96]

12/18/96 73 MEMORANDUM by defendant Tina Hollins in support of mtn for discovery [73-1] (dmz) [Entry date 12/23/96]

12/18/96 73 MOTION to produce all evidence intended to be used at trial by Tina Hollins (dmz) [Entry date 12/23/96]

12/26/96 74 RESPONSE by USA to Tina Hollins' pretrial motns, stating all pt motns should be denied but specifically the motion for discovery info [73-1], Dft's motion for requesting Motion of Plf's intention to use evidence, and motion to suppress documents [72-1]. w/c/s (baf) [Entry date 01/02/97]

12/30/96 75 MOTION to extend time to file plea agmt by Ron Redfern, w/c/s (baf) [Entry date 01/02/97]

12/30/96 76 MOTION to extend time to file plea agmt by Tina Hollins w/c/s (baf) [Entry date 01/02/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

12/30/96 77 ORDER by Judge Charles C. Lovell. Any delay occasioned by the contin of trial setting to be excluded frm dfts speedy tria l calc purs to 18:3161(h)(8)(A). Delay attributable to filing, briefing and deciding of P T motns to be excluded purs to 18:3161(h)(1)(F) & (J)) Ordered the 1/13/97 trial setting is vacated and is now reset for 9:30 2/17/97 at Helena, MT for Arnie Schill, for Doug Schill, for Ron Redfern, for Mitch Fenton, for Tina Hollins. Any Plea agmt due clrk's ofc Hlna by 2/3/97. Motns to continue trial or motn to continue due by 2/3/97. Absemt signed plea agmt or motn to contin trial date by 2/3/97 clerk to order jury 2/4/97. Prop voir dire, jury instrns and trial brfs due 2/7/97. (cc: Ginnings, Pyfer, Obie, Gobeo, Jackson, McLean, CCL, CLK, USM, PO,RPR) (baf) [Entry date 01/02/97] [Edit date 02/03/97]

12/30/96 78 MOTION to extend time to file plea agmt, and to continue trial by Doug Schill w/c/s (baf) [Entry date 01/03/97]

12/31/96 79 MOTION to extend time to file plea agmt by Arnie Schill w/c/s (baf) [Entry date 01/03/97]

1/2/97 -- Lodged PLEA Agreement as to Mitch Fenton (baf) [Entry date 01/03/97]

1/3/97 80 ORDER by Judge Charles C. Lovell 2/17/97 being a designated holiday, ordered that the trial is reset for 9:30 2/18/97 at Helena, MT for Arnie Schill, for Doug Schill, for Ron Redfern, for Christopher Scott Vega, for Mitch Fenton, for Tina Hollins (cc: McLean, Obie Gobeo, Harris, Jackson, Pyfer, CCL,CLK,USM,PO,RPR) (baf) [Entry date 01/03/97]

1/6/97 81 MOTION for US Marshal to transport witness Arnie Schill for testimony 2/17/97 by Arnie Schill w/c/s (baf) [Entry date 01/07/97]

1/13/97 82 ORDER by Judge Charles C. Lovell - change of plea hearing set for 9:30 1/30/97 at Helena, MT for Mitch Fenton (cc: Pyfer, Jackson, harris, Gobeo, Ginnings, Obie, McLean, CCL,CLK,USM,PO,RPR) (baf) [Entry date 01/14/97]

1/15/97 83 MOTION for reconsideration of detention order by Arnie Schill (mk) [Entry date 01/16/97]

1/16/97 84 ORDER by Mag Judge Robert M. Holter granting motion for reconsideration of detention order [83-1] ; detention hearing set for 1:00 1/22/97 for Arnie Schill in Missoula (cc: all counsel; USM/GF, USPO/GF, USPO/HLNA) (mk) [Entry date 01/16/97]

1/16/97 -- FILE DELIVERED to Missoula for Mag Holter Hrg on Arnie Schill (baf) [Entry date 01/16/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

1/21/97 -- REMARK - Rec'd letter from Arnie Schill asking for new counsel or asking for extension on plea agmt and trial. (kept on left side of file) (baf) [Entry date 01/29/97]

1/22/97 -- MINUTES: before Mag Judge Robert M. Holter with AUSA/McLean, defendant in custody and present with counsel Kirk S. Bond substituting for this hearing only; detention hearing held on 1/22/97 C/R: Jacquie J. Chaney, Martin Lake & Associates (mk) [Entry date 01/28/97]

1/27/97 85 MOTION for continued release pending sentencing by Mitch Fenton w/c/s (baf) [Entry date 01/29/97]

1/28/97 86 ORDER of Detention by Mag Judge Robert M. Holter as to Arnie Schill (cc: all counsel) (mk) [Entry date 01/28/97] [Edit date 01/29/97]

1/28/97 -- FILE DELIVERED to C/C Helena for further proceedings (mk) [Entry date 01/28/97]

1/28/97 87 MOTION for chg of plea hearing by Arnie Schill w/c/s (baf) [Entry date 01/29/97]

1/28/97 88 ORDER by Judge Charles C. Lovell granting motion for chg of plea hearing [87-1] - change of plea hearing set for 10:00 2/13/97 for Arnie Schill, for Mitch Fenton (cc: McLean, Obie, Jackson, Ginnings, Gobeo, Harris, Pyfer, CCL, CLK, USM, PO, RPR; Called Jackson, McLean, USM) (baf) [Entry date 01/29/97]

2/3/97 89 Notice of Intent to File Plea Agmt and MOTION to extend time to file plea agmt by Ron Redfern, w/c/s (baf) [Entry date 02/03/97]

2/3/97 90 MOTION to extend time to file p/a by Tina Hollins and notice of intent to file p/a (dmz) [Entry date 02/06/97]

2/4/97 91 MOTION to continue p/a ddl and trial date by Doug Schill (dmz) [Entry date 02/06/97]

2/4/97 92 ORDER by Judge Charles C. Lovell granting Doug Schill motion to continue p/a ddl and trial date [91-1], granting Redfern motion to extend time to file plea agmt [89-1], granting Hollins motion to extend time to file p/a [90-1] - trial date of 2/18/97 is vacated and reset ; jury trial set for 9:30 3/3/97, Hlna, for Arnie Schill, for Doug Schill, for Ron Redfern, for Mitch Fenton, for Tina Hollins p/a to be filed by 2/7/97, clerk to order jury 2/17/97, prop voir dire and jury inst due 2/21/97, govt to submit a trial brief by 2/21/97, with receipt of p/as from Hollins, Redfern and Doug Schill their COPs will be heard on 2/13/97, 10:00, Hlna (cc: Harris, Jackson, Pyfer, Ginnings, Obie, Gobeo, Tina, USM, CCL, TC) (dmz) [Entry date 02/06/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

2/6/97 -- Lodged PLEA Agreement as to Ron Redfern (baf)
[Entry date 02/10/97]

2/6/97 93 ORDER by Judge Charles C. Lovell - change of plea hearing
set for 10:00 2/13/97 for Arnie Schill, for Ron Redfern,
for Tina Hollins. (cc: Pyfer, Jackson, Harris, Gobeo,
Ginnings, Obie, McLean, CCL,CLK,USM,PO,RPR) (baf)
[Entry date 02/10/97]

2/7/97 -- Lodged PLEA Agreement as to Tina Hollins (baf)
[Entry date 02/10/97]

2/10/97 -- Lodged PLEA Agreement as to Arnie Schill (baf)
[Entry date 02/10/97]

2/10/97 94 MOTION to continue hrg on entry of plea by Mitch Fenton
w/cs/ (baf) [Entry date 02/10/97]

2/10/97 95 ORDER by Judge Charles C. Lovell granting motion to
continue hrg on entry of plea [94-1], which is presently
set for 2/13/97 - Sentencing hearing set for 2:00 2/27/97
at Helena, MT for Mitch Fenton (cc: Jackson, McLean
(called), Pyfer, Harris, Gobeo, Ginnings, Obie,
CCL,CLK,USM,PO,RPR) (baf) [Entry date 02/10/97]

2/12/97 96 MOTION to extend time to file plea agmt and to continue
trial date by Doug Schill w/c/s (baf)
[Entry date 02/12/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

2/13/97 97 MINUTES: before Judge Charles C. Lovell. CHANGE OF PLEA. A. SCHILL, RON REDFERN, TINA HOLLINS. Deft A. Schill pr w/cnsl Obie; Deft Redfern pr w/cnsl Gobeo; Deft Hollins pr w/cnsl Pyfer. AUSA McLean pr. uSPO West Estap pr. Defts S/E. Schill treated in Virginia for chem dep in 1991. Hollins had mental health cnslg at 15 and will soon be getting mental health cnslg again in Oregon. She takes flexoril and norotripoline for a sleep disorder.. She is capable to proceed. Each reviewed chrgs and PA's w/cnsl. Each signed PA. Tina Hollins initials a change on Pg 4 of her plea agmt. AUSA pr factual basis. Schill agrees he was part of conspiracy, but says AUSA's facts aren't correct. Redfern agrees w/AUSA. Hollins agrees but doesn't know amts involved. Crt pr rts. Crt finds dfts capable of entering pleas, each underst chrgs and penalties, plea is voluntary and supptd by facts. Motns for COP granted. Rdy waived. Guilty plea entered to one count indct. by Arnie Schill, Ron Redfern, Tina Hollins. Sentencing hearing set for 9:45 5/16/97 at Helena, MT for Arnie Schill, for Ron Redfern, for Tina Hollins. Schill to remain detained. Detention is mandatory for Redfern and Hollins. Cnsl for Hollins moves for release pending sntcg and argues this. Wants mental health cnslg for her while out. Crt finds no special circumstances. Hollins is remanded. Cnsl Pyfer may later raise detention issue if cnslg not received for her. Defts all remanded to USM. (change of plea hearing held on 2/13/97) C/R: Tina Brilz (baf) [Entry date 02/13/97]

2/13/97 98 ORDER by Judge Charles C. Lovell granting Doug Schill's motion to extend time to file plea agmt and to continue trial date [96-1]. Crt finds all delay occasioned by the continuance of the trial setting to be excluded frm defts' speedy trial calc purs to 18:3161(h)(8)(A). The 3/3/97 trial setting is vacated and reset for 3/31/97 at 9:30 a.m. at Helena, MT for Doug Schill. Any plea agmt due Hlna by 3/17/97. Motns for contin of trial date due in Hlna 3/17/97. Plea agmt ddline extended to 3/17/97. Absent a signed plea agmt or motn to contin trial date by 3/17/97, clrk to order jury on 3/18/97. Prop voir dire, jury instrns and govt trial brfs due 3/21/97. (cc: McLean, Obie, Gobeo, Pyfer, Ginnings, Harris, Jackson, CCL,CLK,USM,PO,RPR,JRY CLRK) (baf) [Entry date 02/14/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 2/14/97 99 ORDER by Judge Charles C. Lovell - sentencing hearing set for 9:45 5/16/97 at Helena, MT for Arnie Schill, for Ron Redfern, for Hollins. USPO to conduct PSI. On completion of PSR, prob ofcr to disclose the rpt to dft, his cnsl and govt cnsl by 4/11/97 and not disclose any contents of any recommendation to crt. After receipt of PSR and by 4/25/97, ea cnsl to pr to prob ofcr any obj and if there is dispute over material in PSR, cnsl to meet w/prob ofcr and attempt resolution. If unable to do so, dft to submit unresolved obj and sntcg memo to crt by 5/9/97 and crt will resolve those disputes. PSR to be deliv'd to crt by 5/9/97. Where dispute or their resolution require add'l time, or where dfns cnsl cannot submit unresolved obj or dft's sntcg memo to crt by 5/9/97, cnsl for dft to move crt for a contin of sntcg hrg by 7 days prior to sntcg. (cc: Obie, Ginnings, Goveo, Harris, Jackson, Pyfer, McLean, CCL,CLK,USM,PO,RPR) (baf) [Entry date 02/18/97]
- 2/14/97 100 Fenton's motion for resetting of sentencing hrg.w/c/s (baf) [Entry date 02/19/97]
- 2/14/97 101 MOTION to continue change of plea hrg by Mitch Fenton w/c/s (baf) [Entry date 02/19/97]
- 2/20/97 102 ORDER by Judge Charles C. Lovell granting motion to continue change of plea hrg [101-1]. Change of plea hearing reset for 9:30 3/21/97 at Helena, MT for Mitch Fenton. (cc: Jackson, McLean, CCL,CLK,USM,PO,RPR) (baf) [Entry date 02/20/97]
- 2/21/97 103 TRANSCRIPT of proceedings for the following date(s): 2/13/97 held in Helena, MT on Change of Plea (Re: A.Schill, Redfern, T. Hollins) (baf) [Entry date 02/28/97]
- 2/27/97 104 MOTION for warrant, to revoke Pretrial Release by USA as to Doug Schill (kjh) [Entry date 03/19/97]
- 2/27/97 104 ORDER by Mag Judge Leif B. Erickson granting motion for warrant [104-1] warrant issued for Doug Schill (cc: all counsel) (kjh) [Entry date 03/19/97]
- 2/28/97 -- REMARK - original and copy of Warrant w/copy of Petition and Order to USM/Blgs; cpys of Petition & Order and Warrant to USM/Msla, USPO/Hlna, McLean (kjh) [Entry date 03/19/97]
- 3/10/97 -- ARREST of defendant Doug Schill on 3/10/97 (kjh) [Entry date 03/19/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 3/11/97 105 MINUTES: before Mag Judge Leif B. Erickson regarding [104-2]; AUSA Kris McLean and dft Doug Schill w/atty Laurence Ginnings present, dft Doug Schill having been arrested 3/10/97; dft acknowledges rcpt of copy of Petition; crt advises of rights; dft admits allegations of petition and given factual statement; crt accepts admission; govt moves that dft's pretrial release be revoked and that he be detained pending trial; dft opposes and requests hearing; detention hearing set for 2:00 3/12/97 for Doug Schill; dft remanded to custody pending hearing C/R: Tammy Stuckey (kjh) [Entry date 03/19/97]
- 3/11/97 106 ORDER of Detention Pending Hearing on 3/12/97 @ 2:00 by Mag Judge Leif B. Erickson as to Doug Schill (cc: all counsel) (kjh) [Entry date 03/19/97]
- 3/11/97 107 NOTICE - Document entitled Information purs to 21:851, enabling increased punishment of Deft Doug Schill, as a previous felon. (Cite requires this to be filed as an Information - We cannot put it in as information, as it creates another count, which this is not.) (baf) [Entry date 03/26/97] [Edit date 03/26/97]
- 3/12/97 108 MINUTES: before Mag Judge Leif B. Erickson granting motion to revoke Pretrial Release [104-2] detention hearing held on 3/12/97; AUSA Kris McLean and dft D. Schill w/atty Laurence Ginnings present; Wesley J. Estep s/e for govt and govt rests; Doris Romanisko s/e for dft, dft exhibits 501 and 502 adm w/o obj, and dft rests; Wesley J. Estep testified in rebuttal; no surrebuttal; crt finds dft constitutes danger to community and orders detention pending trial C/R: Daina Hodges (kjh) [Entry date 03/19/97] [Edit date 03/26/97]
- 3/12/97 109 ORDER of Detention Pending Trial by Mag Judge Leif B. Erickson as to Doug Schill (cc: all counsel) (kjh) [Entry date 03/19/97] [Edit date 03/26/97]
- 3/13/97 110 ARREST Warrant returned executed as to defendant Doug Schill ; defendant arrested on 3/10/97 (baf) [Entry date 03/26/97]
- 3/17/97 111 MOTION to extend time to file plea agmt, and for leave to change plea by Doug Schill w/c/s (baf) [Entry date 03/18/97] [Edit date 03/26/97]
- 3/17/97 112 ORDER by Judge Charles C. Lovell granting motion to extend time to file plea agmt [109-1], granting motion for leave to change plea [109-2]. A signed plea agreement shall be lodged by 3/4/97. Ordered that the 3/31/97 jury trial date is vacated with remaining attendant deadlines. On rcpt of plea agmt, crt will fix a date for entry of plea. (cc: McLean, Pyfer, Obie, Ginnings, Gobeo, Harris, Jackson, CCL, CLK, USM, PO, RPR) (baf) [Entry date 03/18/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

[Edit date 03/26/97]

- 3/20/97 -- LODGED PLEA Agreement as to Doug Schill (baf)
[Entry date 03/24/97]
- 3/20/97 -- Lodged Information on Doug Schill (baf)
[Entry date 03/24/97]
- 3/21/97 113 STENO NOTES of proceedings before Judge Charles C. Lovell (Court Reporter: Tina Brilz) Hearing date: 3/21/97 minutes Change of plea [107-2] (baf) [Entry date 03/24/97]
[Edit date 03/26/97]
- 3/21/97 114 MINUTES: before Judge Charles C. Lovell. Deft pr w/cnsl Jackson. AUSA Hubley pr. USPO Wes Estep pr. Deft S/E. Reviewed chrgs and plea agmt w/cnsl. Agrees w/AUSA's factual basis. Found competent to enter plea, he underst chrgs and penbalties, plea is voluntary and supptd by fact. Guilty plea entered to Cnt 1 of indct by Mitch Fenton. Sentencing hearing set 9:45 6/20/97 at Helena, MT for Doug Schill. There is a motn for release pending sntcg. Govt does not oppose. Cnsl Jackson argues. Crt finds special circumstance and allows release pending sntc on same conditns. C/R: Tina Brilz (baf) [Entry date 03/26/97]
- 3/21/97 115 ORDER by Judge Charles C. Lovell - sentencing hearing set for 9:45 6/20/97 at Helena, MT for Mitch Fenton. USPO to conduct PSI. On completion of PSR, prob ofcr to disclose the rpt to dft, dft cnsl and govt cnsl by 5/16/97 and not disclose any recomb to crt. After rcpt of PSR and by 5/30/97, ea cnsl to pr to prob ofcr any obj; and if there is a dispute cnsl to meet w/prob ofcr and attempt resolution. If unable to do so, dft to submit unresolved obj and sntcg memo to crt by 6/13/97 and crt will resolve. PSR due by 6/13/97. Where disputes or their resolution require add'l time, or where dfns cnsl cannot submit unresolved obj or dft's sntcg memo to crt by 6/13/97, cnsl for dft to move crt for a contin of sntcg hrg by 7 days prior to sntcg. (cc: McLean, Obie, Ginnings, Gobeo, Harris, Jackson, Pyfer, CCL, CLK, USM, PO, RPR) (baf) [Entry date 03/26/97]
- 3/21/97 116 ORDER by Judge Charles C. Lovell - change of plea hearing set for 9:45 4/11/97 for Doug Schill. (cc: McLean, Obie, Ginnings, Gobeo, Harris, Jackson, Pyfer, CCL, CLK, USM, PO, RPR) (baf) [Entry date 03/26/97]
- 3/25/97 117 TRANSCRIPT of proceedings for the following date(s): 3/21/97 held in Helena, MT on Chg Plea, Mitch Fenton (Re:) (baf) [Entry date 03/26/97]
- 4/7/97 118 MOTION for Rule 35 by USA as to Arnie Schill w/c/s (baf) [Entry date 04/09/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 4/11/97 119 SUPERSEDING Information by USA naming Doug Schill (2)
count(s) 1s (baf) [Entry date 04/11/97]
[Edit date 04/11/97]
- 4/11/97 120 MINUTES: before Judge Charles C. Lovell. Deft pr in
custody w/cnsl Ginnings. AUSA McLean pr. Dft S/E.
Reviewed chrgs and PA w/cnsl. Satisf w/cnsl and signed PA.
No promises made not disclosed to crt. No threats or
force. Agrees with AUSA's factual basis. Crt pr rts. Crt
finds dft competent to enter plea. He underst chrgs and
penalties. Plea voluntary and supptd by facts. Guilty
plea entered to information by Doug Schill. Crt accepts
plea. Sentencing hearing set for 8/5/97 at 10:15 a.m.
Hlna, MT for Doug Schill. Govt is seeking enhanced penalty.
Crt asks if deft was previously convicted and informs deft
of right to challenge. Deft admits the prior conviction.
Deft to remain detained. Dft cnsl wants to reserve rt to
detention hrg. Granted. Dft remanded. (change of plea
hearing held on 4/11/97) C/R: Tina Brilz (baf)
[Entry date 04/11/97]
- 4/11/97 121 TRANSCRIPT of proceedings for the following date(s):
4/11/97 held in Helena, MT on Change of Plea/D.Schill (Re:
) (baf) [Entry date 04/14/97]
- 4/14/97 122 ORDER by Judge Charles C. Lovell that Doug Schill's 8/5/97
sentencing is vacated, that Mitch Fenton's June 20, 1997
sentencing is vacated, and that the sentencings for Arnie
Schill, Ron Redfern, Tina Hollins and Scott Vega set
5/16/97 are vacated. Sentencing hearing is now set down
for all defts at 9:30 6/26/97 at Helena, MT., USPO to
conduct presntc investigation of Doug Schill per
Fed.R.Crim.P.32(b) and 18:3552(a). On completion of PSR
prob ofcr to disclose the rpt to dft, his cnsl and govt
cnsl by 5/22/97 and not disclose any recomm. to crt. After
rcpt of PSR and by 6/5/97, ea cnsl to pr to prob ofcr any
obj; and if there is dispute, to meet w/prob ofcr and
attempt resolution. If unable to do so, dft to submit
unresolved obj and sntcg memo to crt by 6/19/97 and crt
will resolve. PSR due by 6/19/97. Where disputes or their
resolution require add'l time, or where dfns cnsl cannot
submit unresolved obj or sntcg memo by 6/19/97, dft cnsl to
move crt for a contin of sntcg hrg by 7 days prior to
sntcg. (cc: Obie, Ginnings, Gobeo, Harris, Jackson,
Pyfer, McLean, CCL,CLK,USM,PO,RPR) (baf)
[Entry date 04/14/97]
- 5/8/97 123 MOTION for release of \$500 bond by Doug Schill w/c/s (baf)
[Entry date 05/08/97]
- 5/8/97 124 MOTION for detention hearing by Doug Schill w/c/s (baf)
[Entry date 05/08/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

5/29/97 125 ORDER by Judge Charles C. Lovell denying motion for detention hearing [124-1], granting motion for release of \$500 bond [123-1] (cc: all counsel) (baf) [Entry date 05/29/97]

6/2/97 126 MOTION for authorization of a psychiatric examination by Tina Hollins w/c/s (gar) [Entry date 06/05/97]

6/3/97 127 ORDER by Judge Charles C. Lovell granting motion for authorization of a psychiatric examination [126-1]. Dr. Munn allowed to visit dft at the expense of US gov't (Marshall's Svs) in order to make evaluation of her depression and to prescribe antidepressants for her. If he prescribes such meds, it is ordered that the US Marshall's Office assume responsibility for payment of that expense. cc: CCL, USM, Pyfer, McLean (gar) [Entry date 06/05/97]

6/13/97 128 ORDER by Judge Charles C. Lovell - Dr Robert Caldwell is allowed to visit deft Hollins at the expense of the USM Service in order to evaluate her depression and, if necessary, to prescribe antidepressant medication, if medication is prescribed by Dr Caldwell for deft Hollins the USM shall assume responsibility for the payment of that expense (cc: Pyfer (called and copy), McLean, USM, CCL, GR) (dmz) [Entry date 06/16/97]

6/19/97 129 SENTENCING memorandum as to Ron Redfern (baf) [Entry date 06/20/97]

6/19/97 130 OBJECTIONS by Ron Redfern to Sentencing Memo [129-1] (baf) [Entry date 06/20/97]

6/20/97 131 SENTENCING memorandum as to Arnie Schill (baf) [Entry date 06/20/97]

6/20/97 132 Govt MOTION for Rule 35 by USA as to Ron Redfern w/c/s (baf) [Entry date 06/30/97]

6/20/97 133 Govt MOTION for Rule 35 by USA as to Christopher Scott Vega w/c/s (baf) [Entry date 06/30/97]

6/20/97 134 Govt MOTION for Rule 35 by USA as to Mitch Fenton w/cs/ (baf) [Entry date 06/30/97]

6/20/97 135 Govt MOTION for Rule 35 by USA as to Tina Hollins wcs (baf) [Entry date 06/30/97]

6/26/97 136 PLEA Agreement as to Arnie Schill (baf) [Entry date 06/30/97]

6/26/97 137 SENTENCING memorandum as to Arnie Schill (This is copy - unsure where original is) (baf) [Entry date 06/30/97]

6/26/97 138 PLEA Agreement as to Doug Schill (baf) [Entry date 06/30/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

6/26/97	139	Deft's SENTENCING memorandum as to Doug Schill (baf) [Entry date 06/30/97]
6/26/97	140	PLEA Agreement as to Ron Redfern (baf) [Entry date 06/30/97]
6/26/97	141	PLEA Agreement as to Christopher Scott Vega (baf) [Entry date 06/30/97]
6/26/97	142	PLEA Agreement as to Mitch Fenton (baf) [Entry date 06/30/97]
6/26/97	143	SENTENCING memorandum as to Mitch Fenton (baf) [Entry date 06/30/97]
6/26/97	144	Deft's SUPPLEMENTAL SENTENCING memorandum as to Mitch Fenton (baf) [Entry date 06/30/97]
6/26/97	145	PRESENTENCE Report as to Arnie Schill (original sealed and kept in vault). (baf) [Entry date 06/30/97]
6/26/97	146	PRESENTENCE Report as to Doug Schill (original sealed and kept in vault). (baf) [Entry date 06/30/97]
6/26/97	147	PRESENTENCE Report as to Christopher Scott Vega (original sealed and kept in vault). (baf) [Entry date 06/30/97]
6/26/97	148	PRESENTENCE Report as to Mitch Fenton (original sealed and kept in vault). (baf) [Entry date 06/30/97]
6/26/97	149	PRESENTENCE Report as to Tina Hollins (original sealed and kept in vault). (baf) [Entry date 06/30/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

6/26/97 150

MINUTES: before Judge Charles C. Lovell. SENTENCING - A.SCHILL, D. SCHILL, S. VEGA, M. FENTON, T. HOLLINS. A. Schill pr w/cnsl J. Obie; Doug Schill pr w/cnsl L. Ginnings; Ron Redfern pr w/cnsl B. Gobeo, Scott Vega pr w/cnsl D. Harris, M. Fenton pr w/cnsl G. Jackson; Tina Hollins pr w/cnsl Rick Pyfer. AUSA Robert J. Brooks pr. USPO Wes step and Scott Erickson pr. All reviewed PSR w/cnsl and discussed rts w/cnsl. PSRs to be sealed in record. Disputes settled on Scott Vega, Arnie Schill, Ron Redfern, Mitch Fenton, Doug Schill and Norma Vega. Cr pr rt of allocution to all. SCOTT VEGA - Offense level 35; Criminal history 4, Range 235-293 mos. with Rule 35 pending. Cnsl Harris hrd, Deft hrd. JGMT: Scott Vega remanded CAG 144 mos. which reflects granting of Rule 35. Supv rels 5 yrs. Spl assmt of \$50. Conditns to follow. ARNIE SCHILL - Offense level 29, Criminal history 4; Range 121-151 mos., with Rule 35 pending. This should have been offense level 26, Crim. history 4, Range 92-115 mos. Russell Ginaw S/T for deft. Cnsl Obie hrd. Deft hrd. JGMT: Arnie Schill remanded CAG 56 mos, reflects granting of Rule 35 motn. Supv rels 5 yrs. Pay spl assmt of \$100. Conditions to follow. MITCH FENTON- Offense level 27; Criminal history 2, Range 78-97 mos, with Rule 35 pending. Cnsl Jackson hrd, Dft hrd. JGMT - Mitch Fenton remanded CAG 29 mos. Rule 35 granted. Supv rels 5 yrs. Crt recommends boot camp and will assist if deft so wishes. Conditions to follow. Fenton moves for and is granted voluntary surrender. To report when and where notified by 2 p.m. that date. TINA HOLLINS - Offense level 21, Criminal history 1, Range 37-46 mos. Cnls Pyfer hrd. Asks Dublin CA for incarc in order that cnslg may continue. Dft hrd. JGMT - Deft Hollins remanded CAG 15 mos. to be served in Community Corrections Component in the prerelease center nearest her home. The Rule 35 is granted. Supv rels 4 yrs. Pay spl assmt of \$100. Conditions to follow. Hollins asks for voluntary surrender. Granted. To rpt when and where notified by 2 p.m. on that date. DOUG SCHILL - Offense level 4, Criminal history 5, Range 4-10 mos. Cnsl Ginnings hrd. Dft hrd. JGMT: Deft Doug Schill on probation 3 yrs. As conditn of probatn, to srv 10 mo confinemt at the Butte Prerelease Center in the Community Corrections Component. Pay spl assmt of \$50. Conditns to follow. Dft asks credit for time served. Done. Asks for vol surrender. Granted. To rpt at own expense by 2 p.m. on date notified. RON REDFERN - Offense level 27, Criminal history 2, Range 78-97 mos. Cnsl Gobeo hrd. Dft hrd. Govt states that there is a letter which indicates Deft Redfern might be of further assistance to govt. Crt could sentc today w/o benefit of Rule 35 or contin sntcg. Dft asks for continuance. Sentencing to be continued re Ron Redfern. CONDITIONS FOR ALL DEFTS: May commit no crimes, no firearms or explosives. No controlled substances w/o prescription. Must abide by spl conditns 1-13 of crt. Spl conditns: To ptcipate in a program per USPO for substance abuse and/or

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

mental health, with testing for use of alcohol or drugs. To provide USPO financial information requested, and no new credit lines may be opened w/o approval of USPO. Submit to search of self, home, car or work per USPO. Community service as follows: 200 hrs for S. Vega, A. Schill, D. Schill, M. Fenton, T. Hollins. Doug Schill to pay fine of \$2,500. Crt finds no ability to pay fine in the others and the community service is in lieu of this. Crt pr rt to appeal to all dfts. Crt adj. Crt granting motion for Rule 35 (Vega) [133-1]; granting motion for Rule 35 (Fenton) [134-1]; granting motion for Rule 35 (Hollins) [135-1] C/R: Tina Brilz (baf) [Entry date 06/30/97]

6/26/97 161

PLEA Agreement as to Tina Hollins (baf)
[Entry date 07/10/97]

6/27/97 151

JUDGMENT and Commitment entered to U.S. Marshal as to Arnie Schill sentencing Arnie Schill (1) count(s) 1. Committed to custody of BOP 56 mos. This reflects motn for downward departure. Supervised Release 5 yrs. W/i 72 hrs of rels frm custody of BOP, to rpt in person to prob. ofc where released. While on supv rels, shall not commit another fed., state or local crime, shall not illegally possess contrl subst, shall not own or possess firearms or explosive devices, shall comply w/stand conditns of crt. Dft to ptcipate in progr of subst abuse trtmt and/or mental health trtmt, per USPO, to include testing for use of drugs/alcohol. To provide USPO w/i rqstd financial info and shall incur no new lines of credit or open add'l lines of credit w/o prior approval of prob ofcr. Shall submit person, residence, place of employmt or vehicle to search by USPO. Shall perform 200 hrs commun. srvc at rate of not less than 10 hrs per mo per USPO. Shall not possess or ingest alcoholic beverages or be on premises where it is chief item of sale. Shall notify USPO at least 10 days prior to changing address. Crt finds no ability to pay fine. Ordered that govt motn for Rule 35 is granted. Pay special assessmt of \$100.00, due immediately. Done by Judge Charles C. Lovell (cc: Obie, McLean, CCL,USM,PO,AUSA-BLG, J/O BOOK VOL 21, Page 660) (baf)
[Entry date 06/30/97]

6/27/97 152

ORDER by Judge Charles C. Lovell as to Doug Schill. This is entitled Judgment; however it states that deft pleaded guilty to Count 1 of the Indictment, when in fact, he pleaded to the information, so this judgment is not correct, and an Amended Judgment will need to be processed. (cc: Ginnings, McLean, CCL, USM, PO, AUSA-Blg,) (baf)
[Entry date 06/30/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

6/27/97 153

JUDGMENT and Commitment entered to U.S. Marshal as to Mitch Fenton sentencing Mitch Fenton (5) count(s) 1 of Indictment. Committed to custody of BOP 29 mos. Reflects granting of Rule 35 motn. Crt recommends to BOP incarceration at a federal boot camp. On supv rels 5 yrs. W/i 72 hrs of rels frm custody of BOP, to rpt to prob ofc where released. While on supv rels, dft not to commit another fed., state or local crime, shall not illegally possess contrl subst, shall not own or possess firearms or explosive devices, shall comply w/stand conditns 1-13. Spl conditns: Shall ptcipate in progr of subst abuse trtmt and/or mental health trtmt per USPO, to include testing for use of drugs/alcohol. To provide USPO w/rqstd financial info and shall incur no new lines of credit or open add'l lines of credit w/o prior approval of prob ofc. Submit person, residence, place of employment or vehicle to search by USPO. Shall perform 200 hrs community srvc at rate of not less than 10 hrs per month per USPO. Dft not to possess or ingest alcoholic beverages or be on premises of any establishment where alcohol is chief item of sale. Dft to notify USPO at least 10 days prior to c hanging address. Crt finds no ability to pay fine. Ordered that Govt Rule 35 motn is granted. Pay spl assmt of \$50, due immediately . Crt finds dft suitable for vol. surrender and orders dft to surrender himself on date and at the time designated in writing by US Marshal's Svc. Done by Judge Charles C. Lovell (cc: Jackson, McLean, CCL, USM, PO< AUSA-Blg, J/O Book Vol 21, Page 661) (baf) [Entry date 06/30/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

6/27/97 154

JUDGMENT and Commitment entered to U.S. Marshal as to Tina Hollins sentencing Tina Hollins (6) count(s) 1 Indctmt. Committed to custody of BOP 15 mos, to be srvd in appropriate community corrections component of pre-release center near her home in Oregon, w/credit for time served. Reflects granting of Rule 35 motn. On supv rels 48 mos. W/i 72 hrs of rels frm custody of BOP, dft to rpt in person to prob ofc where released. While on supv rels, shall not commit another fed., state or local crime, shall not illegally possess contrl subst, shall not own or possess firearms or explosive devices, shall comply w/stand conditns 1-13 of this crt. Spl conditns: Dft to ptcipate in progr of subst abuse trtmt and/or mental health trtmt approved by USPO, to include testing for use of drugs/alcohol. To provide USPO w/ rqstd financial info and shall incur no new lines of credit or open add'l lines of credit w/o prior approval of prob ofcr. Sh all submit person, residence, place of employmt or vehicle to search by USPO. Shall perform 200 hrs comm;unity srvc at rate of not less than 10 hrs per mo per USPO. Shall not possess or ingest alcoholic beverages or be on premises of any establishment where alcohol is chief item of sale. Shall notify USPO at least 10 days prior to changing address. Crt finds no ability to pay fine. Govt's Rule 35 motn is granted. Pay spl assmt of \$100, due immediately. Crt finds dft suitable for vol. surrender and not likely to flee or pose danger to community. Ordered that Dft to surrender herself on date and at the time designated in writing by US Marshal's Svc. Done by Judge Charles C. Lovell (cc: Pyfer, McLean, CCL, USM, PO, AUSA Blg, J/O Book Vol 21, Pg 662) (baf) [Entry date 06/30/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 6/27/97 155 JUDGMENT and Commitment entered to U.S. Marshal as to Christopher Scott Vega sentencing Christopher Scott Vega (4) count(s) 1s of an Information. Committed to custody of BOP 144 mos. This reflects granting of Rule 35 motn. On supv rels 5 yrs. W/i 72 hrs of rels frm custody, dft to report in person to prob ofc where released. While on supv rels, shall not comit another fed., state or local crime, shall not illegally possess contrl subst, shall not own or possess firearms or exxplosive devices, shall comply w/standard conditns of this crt. Spl conditns: Dft to ptcipate in progr of subst abuse trtmt and/or mental health trtmt approved by USPO, to include testing for use of drugss/alcohol. To include U/A monitoring and breathalyser testing. To provide USPO w/financial info requested and shall incur no new lines of credit or open add'l lines of credit w/o prior approval of prob ofcr. Shall submit person, residence, place of employmt or vehicle to search by USPO. Shall perform 200 hrs community srvc at rate of not less than 10 hrs per mo per USPO. Dft shall not possess or ingest alcoholic beverages or be on premises of any establishment where alcohol is chidf item of sale. Deft shall notify USPO at least 10 days prior to changing his address. Crt finds no ability to pay fine. Govt's motn for Rule 35 is granted. Pay spl assmt of \$50, due immediately. Ordered that indctmts on file are dismissed agnst this dft. Done by Judge Charles Lovell (cc: Harris, McLean, USM, PO, AUSA-Blg, J/O Book Vol 21, Pg 663) (baf) [Entry date 06/30/97]
- 6/27/97 156 ORDER by Judge Charles C. Lovell ; sentencing hearing set for 2:00 8/7/97 for Ron Redfern. Pties to file simultaneous status reports by 7/31/97 notifying the court of the current status of deft's cooperation, and indicating whether the parties are ready for sentencing. (cc: Gobeo, McLean, CCL,CLK,USM,PO,RPR) (baf) [Entry date 07/01/97]
- 7/2/97 157 MOTION to amend judgment to recommend incarc in Portland, OR by Arnie Schill w/c/s (baf) [Entry date 07/09/97]
- 7/3/97 -- REMARK - A notice of appeal was filed citing both CR 96-2-H-CCL and CR 96-28-H-CCL. In actuality, Deft plead to the count in CR 96-2-H, and the charge in CR 96-28-H- was dismissed. Because the charge here was dismissed, the notice of appeal will not be docketed in this file. (baf) [Entry date 07/09/97]
- 7/3/97 158 TRANSCRIPT of proceedings for the following date(s): 6/26/97 held in Helena, MT on Sentencing Re Christopher S. Vega, Arnie Schill, Mitch Fenton, Tina Hollins, Doug Schill, (Ron Redfern was continued) (baf) [Entry date 07/09/97]
- 7/8/97 159 MOTION to continue sentencing date by Ron Redfern. w/c/s (baf) [Entry date 07/09/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

7/9/97 -- REMARK - Rec'd from USPO Transmittal/Recpt of Payment form showing Doug Schill owing \$50 in Special Assmt; and \$2500 fine (baf) [Entry date 07/09/97]

7/9/97 160 ORDER by Judge Charles C. Lovell granting R. Redfern's motion to continue sentencing date [159-1]. The 8/7/97 sentencing hrg is vacated and is reset for 10:45 9/2/97 for Ron Redfern (cc: Gobeo, Ginnings, McLean, CCL, CLK, USM, PO, RPR) (baf) [Entry date 07/10/97]

7/10/97 162 Request for authorization for pymt of preparation of transcripts by Christopher Scott Vega w/c/s (baf) [Entry date 07/16/97]

7/25/97 163 MOTION to extend time for self-surrender by Mitch Fenton, w/c/s (baf) [Entry date 07/29/97]

7/30/97 164 MOTION to withdraw Motion for extension of time for self surrender by Mitch Fenton w/c/s (baf) [Entry date 07/31/97]

8/4/97 165 ORDER by Judge Charles C. Lovell, due to sched conflicts of court the sent pres set for 9/2/97 is vacated and ; sentencing hearing is now set for 10:15 9/4/97 for Ron Redfern at Helena. (cc: CCL, Clk, BAF, USM, Prob, Crt Rpr, McLean, Ginnings, Gobeo) gar for tlh (gar) [Entry date 08/05/97]

8/7/97 170 CJA Form 20 (Attorney Payment Voucher No. 0733021) as to Tina Hollins to Richard Pyfer, approved for \$2,255.14 (baf) [Entry date 08/25/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 8/8/97 166 JUDGMENT and Commitment entered to U.S. Marshal as to Doug Schill sentencing Doug Schill (2) count(s) 1s Information. Three yrs probatn. Shall not comit another fed., state or local crime, shall not illegally possess contrl subst, shall not own or possess firearms or explosives, shall comply w/stand conditns 1-13. Spl conditns: Shall be confined to 10 mos at Butte Pre-Release Center, Community Corrections Component, with credit for time served. To ptcipate in progr of subst abuse trtmt and/or mental health trtmt, per USPO, to include testing for use of drugs or alcohol. To provide USPO w/financial info rqstd and shall incur no new lines of credit or open add'l lines of credit w/o prior approval of prob ofcr. Shall submit person, residence, place of employmt or vehicle to search by USPO. Shall perform 200 hrs community svc at rate of not less than 10 hrs per mo per USPO. Shall not possess or ingest alcoholic beverages or be on premises where alcohol is chief item of sale. Shall notify USPO 10 days prior to any change of address. Pay fine of \$2,500. Pay spl assmt of \$50. Dismissing counts as to Doug Schill (2) count(s) 1 Indictment. Dismissed. Deft found suitable for vol. surrender a nd is not likely to fell or pose danger to safety of others and is ORDERED to surrender himself to Butte Pre-Release Center on the date and at the time designated in writing by USPO and/or Butte Pre-Release Center. by Judge Charles C. Lovell (cc: all counsel) J/O Bk. Vol 21 Page 672 (baf) [Entry date 08/19/97] [Edit date 01/24/00]
- 8/11/97 167 ORDER by Judge Charles C. Lovell - referring to LBE, James Obie's CJA20 voucher for fees and expenses incurred in representing Arnold Schill for a determination of a reasonable fee and costs (cc: Obie, McLean, CCL, GR, LBE with original voucher) (dmz) [Entry date 08/12/97]
- 8/12/97 168 Copy of Judgment of Mitch Fenton showing deft deliv'd on 7/30/97 at FPJC Sheridan, OR (baf) [Entry date 08/19/97]
- 8/12/97 169 Copy of Judgment of Arnold Schill showing deft deliv'd to FCI Waseca, MN on 7/31/97. (baf) [Entry date 08/19/97]
- 8/22/97 170 ORDER by Mag Judge Leif B. Erickson; in-court hearing set for 10:30 9/8/97 regarding appropriate fee for Mr. Obie's representation of dft Arnie Schill (cc: Obie, U.S. Attorney) (kjh) [Entry date 08/22/97]
- 8/22/97 171 ORDER by Mag Judge Leif B. Erickson Hrg on'atty fees is set for 10:30 9/8/97 for Arnie Schill (cc:AUSA, Obie) (baf) [Entry date 08/25/97]
- 8/26/97 172 STATUS REPORT by Ron Redfern indicating cooperation in re Rule 35 motion. (baf) [Entry date 08/27/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

8/26/97 173 CJA Form 20 (Attorney Payment Voucher No. 0733006) as to Christopher Scott Vega to Douglas Harris approved for \$4,477.73. (baf) [Entry date 08/27/97]

8/26/97 174 STATUS REPORT by USA re Redfern indicating cooperation and urging the granting of the Rule 35 motn. w/c/s (baf) [Entry date 08/29/97]

8/27/97 175 MOTION by Mitch Fenton to Return Seized Propertyi w/c/s (baf) [Entry date 08/29/97]

9/4/97 176 MINUTES: before Judge Charles C. Lovell. SENTENCING RON REDFERN. Gdline Range was 108-135 mos before granting acceptance of responsibility. Now Offense level 27, Criminal history 2, Range 78-97 mos. with Rule 35 pending. Crt pr rt of allocution. Both cns1 hrd. Rule 35 motn granted. Sentencing Ron Redfern (3) to count 1 of indct. Remanded CAG 42 mos. Supv rels 5 yrs. May commit no crimes, no firearms or explosives, no contrld subs. Must comply w/stand cond. of rels 1-13. Ptcipate in progr per USPO for subst abuse w/testing. Ptcipate in mental health progr per USPO. Provide rqstd financial info to USPO. No new credit lines w/o approval of USPO. Submit to srch of person, home, car or work per USPO. 200 hrs community svc. Crt finds no ability to pay fine. No alcohol or being where it is chief item of sale. Must notify USPO 10 days prior to any chg of address. Pay spl assmt of \$100. Crt pr rt to appeal. Deft moves for contact visit w/kids before leaving the area. Says Jefferson Cnty Jail will allow one if there is crt order. Dft asks recommendation for incarc at Sheridan OR. Crt to order contact visit. Deft remanded. C/R: Tina Brilz (baf) [Entry date 09/08/97]

9/4/97 177 PRESENTENCE Report as to Ron Redfern (original sealed). (baf) [Entry date 09/08/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 9/5/97 178 JUDGMENT and Commitment entered to U.S. Marshal as to Ron Redfern by Judge Charles C. Lovell. Deft remanded CAG 42 mos. Reflects consideration of Rule 35 motn. Crt recommends to BOP incar at FCI Sheridan OR to prmit visits w/children. On rels, dft on supv rels 5 yrs. W/i 72 hrs of rels dftto rpt in person to prob ofce where released. While on supv rels, dft not to commit another fed., state or local crime, shall not illegally posses contrl subst, shall not own or possess firearms or explosives, shall comply w/stand conditns 1-13 of this crt. Spl conditns: Dft to ptcipate in progr of subst abuse trtmt and/or mental health trtmt, per USPO, to include testing for use of drugs/alcohol. Shall provide USPO w/financial info rqstd and shall incur no new lines of credit or open add'l lines of credit w/o prior approval of prob ofcr. Shall submit person, residence, place of employmt or vehicle to search by USPO. Shall prform 200 hrs comm;unity srvc at rate of not less than 10 hrs per mo per USPO. Dft not to possess or ingest alcoholic beverages or be where it is chief item of sale. Dft to notify USPO at least 10 days prior to changing address. Crt finds no ability to pay fine. Govt's motn for downwrd departure purs to Rule 35 is Granted. Deft to pay spl assmt of \$100, due immediately. (cc: Gobeo, McLean, CCL, USM, PO, AUSA-Blg, J/O Book Vol 22, Page 682) (baf) [Entry date 09/08/97]
- 9/5/97 179 ORDER by Judge Charles C. Lovell The U.S. Marshals Srvc shall arrange a 60 minute contact visit between Deft Ron Redfern and his children at the Jefferson County Jail. (cc: USM, Gobeo, McLean, CCL, Jefferson Cnty Jail) (baf) [Entry date 09/08/97] [Edit date 09/17/97]
- 9/15/97 180 APPEAL Notice to USCA by Ron Redfern regarding [178-1] fees CJA (cc: all counsel) (baf) [Entry date 09/17/97]
- 9/15/97 181 RESPONSE by Mitch Fenton to Deft's motion for return of seized property, w/c/s (baf) [Entry date 09/19/97] [Edit date 09/19/97]
- 9/16/97 -- CRIMINAL SPL ASSMT by dft Doug Schill in the amount of \$50.00, receipt # 9163, MO #8688414232. (gar) [Entry date 10/08/97]
- 9/17/97 -- REMARK - Pursuant to Notice of Appeal #180 of Ron Redfern, sent to cnsl - copy of notice of appeal, Order for Time Schedule, Case Info Sheet and Docket Fee Pymt Notification Form, docket sheet; also to dfns cnsl form CJA 24 and transcript order form. Sent to Crt of appeals - Notice of appeal, docket sheet, Ord for Time Sched., Case Info Sheet, Docket Fee Pymt Notif., cert cpys of Indct, Order appointing cnsl and Jgmt. To Crt RPR copies of Notice of Appeal and Time Schedule form. (baf) [Entry date 09/17/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 9/17/97 182 Copy of Amended Judgment on Doug Schill showing Deft self-surrendered 9/4/97 to Butte Pre-Release Center. (baf) [Entry date 09/17/97] [Edit date 09/19/97]
- 9/17/97 183 ORDER by Judge Charles C. Lovell granting motion [175-1] of Mitch Fenton to return seized property. Ordered that Mitch Fenton's motion for return of property is granted and USA shall return the items of personal property to their owner, Thomas C. Fenton, as follows: 1 Taurus .44 Cal. Special 3" Stainless Steel Revolver; 1=EAA Witness .45 Cal Semi-Automatic Pistol w/2 clips; 1-12 ga. Mauser Shotgun w/extra barrel; 1 pistol case. 1-9 mm Glock Semi-Automatic Pistol w/2 clips (cc: Jackson, McLean, CCL) (baf) [Entry date 09/17/97] [Edit date 09/19/97]
- 9/25/97 184 NOTICE - copy of 9/5/97 order re RON REDFERN contact visit w/children, with return showing writ executed by Jefferson County, MT jail on 9/11/97. (baf) [Entry date 09/29/97]
- 10/1/97 185 FINDINGS AND RECOMMENDATION by Mag Judge Leif B. Erickson recommending Dist Crt approve atty fees in amnt of \$2,500.00 + costs in sum of \$692.97. (cc: James Obie; orig to Helena w/orig CJA claim & attachmnts) (mgs) [Entry date 10/01/97]
- 10/14/97 186 ORDER by Judge Charles C. Lovell adopting findings and recommendations motion FINDINGS AND RECOMMENDATION [185-1] Jim Obie's CJA voucher constituting payment for services rendered in amt of \$2500 for atty's fees, \$692.97 for costs for a total of \$3,192.97 (cc: Obie, McLean, CCL, GR, LBE) (dmz) [Entry date 10/16/97]
- 10/15/97 187 TRANSCRIPT of Sentencing proceedings of Ron Redfern on 9/4/97 filed with copy (tlh) [Entry date 10/16/97]
- 10/15/97 188 TRANSCRIPT DESIGNATION and Ordering Form for dates: 6/26/97 & 9/4/97 regarding [180-1] re transcript [187-1], re transcript [158-1] as to deft Redfern (tlh) [Entry date 10/16/97]
- 10/15/97 190 CJA Form 20 (Attorney Payment Voucher No. 0733028) as to Arnie Schill. Approved for \$3,192.97. (baf) [Entry date 10/17/97]
- 10/16/97 189 APPEAL Certificate of Record Transmitted to USCA regarding [180-1] Appeal of Redfern Orig to Court of Appeal, copies to Gobeo, McLean, Clerk (tlh) [Entry date 10/16/97]
- 10/28/97 191 ORDER by Judge Charles C. Lovell Deft's motion to amend judgment is DENIED as to Arnie Schill. (cc: McLean, CCL, Ginnings, GR, Gobeo) (baf) [Entry date 11/05/97]
- 10/28/97 -- CRIMINAL FINE PAID BY DFT DOUG SCHILL in the amount of \$100.00, receipt # 9212. (gar) [Entry date 12/15/97]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

10/30/97 192 CJA FORM 24 (Authorization and Voucher for Transcript Payment) as to Ron Redfern (baf) [Entry date 11/05/97]

11/5/97 193 CJA Form 20 (Attorney Payment Voucher No. 0733028) as to o James Obie, approved for \$3,192.97, re Arnold L. Schill (baf) [Entry date 11/06/97]

11/18/97 194 CJA Form 20 (Attorney Payment Voucher) #0733008 as to Ron Redfern (baf) [Entry date 11/26/97]

11/20/97 195 SUBSTITUTION of Attorney replacing attorney Gregory A. Jackson with Ed Sheehy, Jr. for Mitch Fenton. (Signed by Fenton, Jackson and Sheehy) w/c/s (baf) [Entry date 12/01/97]

11/21/97 196 MOTION for credit for time served by Doug Schill w/c/s (baf) [Entry date 12/01/97]

11/26/97 197 ORDER by Judge Charles C. Lovell denying Doug Schill's motion for credit for time served [196-1] (cc: D. Schill, Ginnings, McLean, USPO, USM,CCL) (baf) [Entry date 12/01/97]

12/10/97 -- CRIMINAL FINE PAID BY DFT #2, DOUG SCHILL the amount of \$100.00, Rec't #9250. (gar) [Entry date 12/15/97]

12/12/97 198 ORDER by Judge Charles C. Lovell - Edmund F Sheehy, Jr shall be cnsl of record for deft Mitch Fenton in the place and stead of Gregory Jackson (cc: Sheehy, Jackson, CCL, GR, PRO) (dmz) [Entry date 01/22/98]

12/23/97 -- CRIMINAL FINE PAID by Dft Doug Schill in the amount of \$100.00, receipt # 9261, ck #6876. (gar) [Entry date 01/08/98]

1/26/98 199 APPEAL Judgment Mandate from USCA dismissing the appeal of Ron Redfern [180-1] per stipulation of the parties. (cc: Gobeo, McLean, CCL) (baf) [Entry date 01/27/98] [Edit date 01/14/99]

1/27/98 -- CRIMINAL SPECIAL ASSMT PAID BY DFT #2, DOUG SCHILL in the amount of \$100.00, receipt # 9289, Butte Pre-Rel Ck #7117. (gar) [Entry date 02/04/98]

1/27/98 -- CRIMINAL SPECIAL ASSMT PAID BY DFT #6, TINA HOLLINS in the amount of \$100.00, receipt # 14000, US Treas ck #32162676. (gar) [Entry date 02/04/98]

2/4/98 200 CJA Form 20 (Attorney Payment Voucher #733007) as to Doug Schill, to Laurence Ginnings, approved for \$3,251.30 (baf) [Entry date 02/05/98]

Proceedings include all events.

TERMED

6:96cr28-ALL USA v. Schill, et al

2/10/98 -- CRIMINAL SPECIAL ASSMT PAID BY DFT #1, ARNOLD L. SCHILL in the amount of \$ 25.00, Billings Receipt 14122, US Treas Ck. #97960373. (gar) [Entry date 02/13/98]

2/12/98 -- CRIMINAL FINE PAID BY DFT #2, DOUG SCHILL in the amount of \$ 100.00, receipt # 9307. (gar) [Entry date 02/13/98]

4/17/98 -- CRIMINAL SPL ASSMT PAID BBY DFT ARNOLD SCHILL: in the amount of \$ 25.00, Billings Div receipt # 14475. US Treasury ck #98170184 (gar) [Entry date 04/21/98]

4/17/98 -- CRIMINALSPL ASSMT PAID BY RON REDFERN: in the amount of \$ 25.00, receipt # 14463 (Blgs Div). US Treas Ck #98170184. (gar) [Entry date 04/21/98]

4/17/98 -- CRIMINAL SPL ASSMT PAID BY MITCH FENTON: in the amount of \$ 25.00, receipt Blgs Div # 14455. US Treas ck #98170184 (gar) [Entry date 04/21/98]

4/29/98 -- CRIMINAL FINE PAID BY Dft #2, Doug Schill in the amount of \$ 100.00, receipt # 9375. (gar) [Entry date 05/01/98]

6/8/98 -- FINANCIAL ENTRY Spl Assmt recv'd on behalf of Dft Mitch Fenton in amt of \$25.00 at Billings, US Treas Ck. #98276219, Blgs Rec't #14681. Trans to Helena Division (gar) [Entry date 06/09/98]

6/17/98 -- FINANCIAL ENTRY, Rec'd from Doug Schill, Dft #2, ck #8055, in the amt of \$100.00, fine, Rec't 9434. (gar) [Entry date 06/18/98] [Edit date 06/18/98]

7/17/98 -- FINANCIAL ENTRY as to Dft Doug Schill, rec'd MO#67693622163 in amt of \$100.00, fine, rec't 9451 (gar) [Entry date 07/21/98]

7/17/98 -- FINANCIAL ENTRY as to Dft Ron Redfern, rec'd US Treas ck 32648518 in amt of \$25.00, spl assmt, Blgs Rec'd 14861. (gar) [Entry date 07/21/98]

7/17/98 -- FINANCIAL ENTRY as to Dft Arnold Leonard Schill, US Treas Ck 32648518, Spl assmt, Blgs Rec't 14879 (gar) [Entry date 07/21/98]

8/26/98 -- FINANCIAL ENTRY, as to Dft #1, Doug Schill, Rec'd MO #67693081320980824 596350 in amt of \$100.00, issued rec't 9497, fine (gar) [Entry date 08/28/98]

10/14/98 -- FINANCIAL ENTRY as to Dft #7, Doug Schill, Rec'd MO #68278570108981009596350 in amt of \$200.00, Fine, Rec't #9545 (gar) [Entry date 10/15/98] [Edit date 10/15/98]

10/14/98 -- FINANCIAL ENTRY as to Dft #1, Arnold Leonard Schill, rec'd from BOP, US Treas Ck. #82626966 in amt of \$25.00, Billings Rec't #20348 issued. (gar) [Entry date 10/27/98]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

10/14/98 -- FINANCIAL ENTRY as to dft #3, Ron Redfern, rec'd from BOP, US Treas ck #82626966 in amt of \$25.00, issued Billings Rec't #20316, spl assmt. (gar) [Entry date 10/27/98]

12/15/98 -- FINANCIAL ENTRY as to dft Doug Schill, rec'd MO 68278572360 in amt of \$100.00, Rec't 22020, fine (gar) [Entry date 12/16/98]

1/12/99 -- FINANCIAL ENTRY, Rec'd US Treasury Check #24512513 on behalf of dft #3, Ron Redfern, in amt of \$25.00, Blgs Rec't #20834. (gar) [Entry date 01/14/99]

2/2/99 -- FINANCIAL ENTRY, Rec'd of Dft #2, Doug Schill, MO 68279669864, fine in amt of \$300.00. Rec't #22084 issued. (gar) [Entry date 02/02/99]

6/3/99 -- CRIMINAL FINE PAID on Date: 6/3/99 by defendant Doug Schill in the amount of \$ 700.00, for Fine, receipt # 22244. (gar) [Entry date 06/03/99]

1/3/00 -- CRIMINAL FINE PAID by defendant Doug Schill in the amount of \$300.00, receipt # 30075, cash (gar) [Entry date 01/04/00]

1/11/00 201 NOTICE by plaintiff OF SATISFACTION OF MONETARY JUDGMENT AS TO DOUG SCHILL J/O Bk. Vol 21 page 672 (dmz) [Entry date 01/13/00] [Edit date 01/24/00]

6/30/00 202 ORDER by Judge William D. Keller re deft Schill - deft is discharged from supervised release and the proceedings in this case are terminated (cc: PRO, USM, CCL,GR) (dmz) [Entry date 07/07/00]

11/2/00 203 ORDER by Judge Charles C. Lovell that deft's motion to raise additional authorities in support of deft's Section 2255 motion is granted. Ordered that deft's motn to vacate snrc purs to 28:2255 is Denied. Jgmt to enter.(cc: Vega, Harris, McLean, CCL) (baf) [Entry date 11/02/00]

4/24/01 -- APPEAL Record returned by USCA as to Christopher Scott Vega (rec'd transcript of sentencing held 6/26/97) (baf) [Entry date 04/24/01]

3/29/02 -- REMARK - rec'd in Clk's ofc Transfer of Jurisdiction to Dist of Nebraska, signed by CCL. Gave 3 to USPO-Hlna to obtain receiving judge's signature. (baf) [Entry date 03/29/02]

4/30/02 204 Transfer of Jursidiction re ARNOLD LEONARD SCHILL signed by both sending and receiving judges, transferring jurisdiction from Montana to Nebraska. (Cert cpies of pertinent information mailed to Clerk, Lincoln NB regarding Arnold Schill) (baf) [Entry date 04/30/02]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

2/12/03 -- ARREST Warrant issued for Ron Redfern by Judge Charles C. Lovell dlv orig and 1 w/cert copy of Petn to USM in Helena, MT for service (cc:USA, USM, PROB) (baf)
[Entry date 02/13/03]

2/13/03 205 Petition for Violation of Supervised Release (baf)
[Entry date 02/13/03]

2/13/03 205 ORDER by Judge Charles C. Lovell granting [205-1] motion for warrant. (cc:USPO, AUSA, USM) (baf)
[Entry date 02/13/03]

2/14/03 206 ARREST Warrant returned executed as to defendant Ron Redfern ; defendant arrested on 2/14/03 (baf)
[Entry date 02/14/03]

2/21/03 207 CJA Form 23 (Financial Affidavit) as to Ron Redfern (kjh)
[Entry date 02/24/03] [Edit date 02/24/03]

2/21/03 208 MINUTES: before Mag Judge Leif B. Erickson; AUSA Josh Van de Wetering and defendant Ron Redfern w/atty Melissa Harrison present; crt reviews dft's Financial Affidavit and appoints Assistant Federal Defender Michael Donahoe; defendant acknowledges receipt of a copy of the Petition and has read and understands same; crt advises of rights; defendant waives preliminary hearing; regarding detention, crt will order dft's release if notified by USPO that conditions have been developed that would assure defendant's appearance and the safety of the community; if no recommendation for release is made, dft will remain in custody pending the revocation hearing before Judge Lovell; probation revocation hearing set for 10:00 2/27/03 for Ron Redfern before Judge Lovell in Helena. C/R: Julie Lake (kjh)
[Entry date 02/24/03]

2/21/03 209 ORDER by Judge Charles C. Lovell ; probation revocation hearing set for 10:00 2/27/03 @ Hlna, Crtrm II for Ron Redfern (cc: all counsel) (kjh) [Entry date 02/24/03]

Proceedings include all events.
6:96cr28-ALL USA v. Schill, et al

TERMED

- 2/27/03 210 MINUTES REVOCATION HRG, RON REDFERN before Judge Charles C. Lovell. Deft pr in custody w/cnsl Donahoe. AUSA Hubley pr. USPO Estep pr. B. Fries Clk. C/R: Carol Hendrickson. Deft reviewed Petn w/cnsl. Crt reviews history and pet'n. Deft admits Violation 1,2. AUSA tenders petn as evid. of proof of violation So stipulated and ordered admitted by crt. Deft cnsl and Govt cnsl hrd. Crt orders supv rels revoked. RESNTCG: Crt pr rts. Deft cnsl, deft and AUSA hrd. JGMT: Deft remanded CAG 12 mos On supv rels 24 mos. May commit no fsl crimes, no firearms, ammunition or dang devices. No contrl subst w/o prescrip. Spl cond: Abstain frm consumption of alcohol or going where sold. Ptcipate in/complete progr for subst abuse testg/trtmt per USPO and pay all/prt cost per USPO. USPO to find best progr available with intense inpatient trtmt. Submit to search provisions. Provide USPO rqstd financial info and may open no new lines of credit w/o approval of USPO. To notify USPO w/i 10 days of chg of address. Crt pr rt to appeal. Deft remanded to USM. (baf) [Entry date 02/27/03]
- 3/3/03 211 Order Supervised release status of Ronald J. Redfern is revoked. JUDGMENT AND COMMITMENT entered as to Ron Redfern Remanded to custody of BOP 12 mos. Supv rels 24 mos. Done by Judge Charles C. Lovell (cc: Donahoe, McLean, CCL, USM, PO, Financial, J/O Book Vol. 31, Pg 1112) (baf) [Entry date 03/04/03]
- 3/19/03 212 TRANSCRIPT of proceedings for the following date(s): 2/26/03 held in Helena, MT on Revocation Proceeding/Redfern (Carol Hendrickson, RPR) (baf) [Entry date 03/19/03]
- 5/7/03 -- REMARK - Rec'd Transfer of Jurisdiction signed by CCL (3 originals). on Thomas Mitchell Fenton, to transfer to W. Dist of WA. Gave 2 orig to USPO Hlna to process. 1 orig in file. (baf) [Entry date 05/07/03]
- 5/7/03 213 MOTION to modify conditions of release by USA as to Mitch Fenton A N D (baf) [Entry date 05/08/03]
- 5/7/03 214 ORDER by Judge Charles C. Lovell granting motion to modify conditions of release [213-1] Ordered that conditions of supervision be modified so deft to serve 6 mo in prerelease component of Pioneer Fellowship House in Seattle, WA and comply w/all requirements of the facility. (cc: Jackson, McLean, CCL, USPO) (baf) [Entry date 05/08/03]
- 5/7/03 215 WAIVER of hearing to modify conditioins of supv rels by Mitch Fenton (baf) [Entry date 05/08/03]

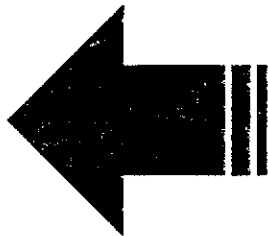
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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA
OFFICE OF THE CLERK

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DISTRICT COURT EXECUTIVE / CLERK OF COURT
UNITED STATES COURTHOUSE
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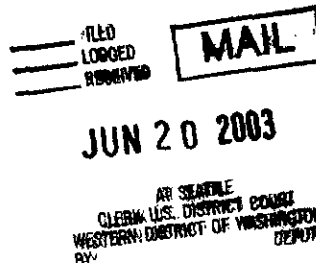
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CHIEF DEPUTY CLERK
EVO A. DECONCINI U.S. COURTHOUSE
405 W. CONGRESS, SUITE 1500
TUCSON, ARIZONA 85701

June 13, 2003

United States Courthouse
1010 5th Ave
Seattle WA 98104-1130

Re: CR 01-1454-TUC-RCC
Wayne Ochoa JR.
Transfer of Jurisdiction



Dear: Mr. Ochoa JR

Transfer of probationary jurisdiction having been approved in the above entitled case, enclosed herewith are certified copies of the following:

1. CC Transfer of Jurisdiction
2. CC Indictment
3. CC Judgment & Commitment
4. CC Docket Sheet

Please acknowledge receipt of same on the enclosed copy of this letter and return to the Tucson office for filing.

RICHARD H. WEARE, CLERK


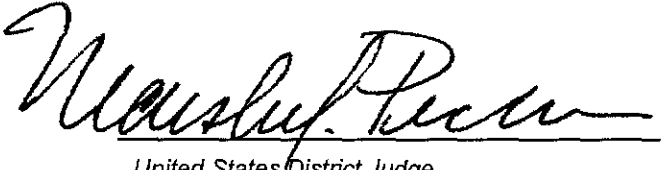
By: Rose Chavez
Rose Chavez Deputy Clerk

cc: RCC
PO
USM
USA

1 UNITED STATES DISTRICT COURT
1 PHOENIX, ARIZONA 85025-0093

03-CR-00213-MISC

The staff of the Clerk's Office ensures the effective, efficient and professional delivery of clerical and administrative services, while fostering a customer-friendly and employee-friendly environment.

PROB 22 (Rev. 2/88)		TRANSFER OF JURISDICTION	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: WAYNE OCHOA JR. <u>KN</u> FILED <u>6-9-03</u> 4148 Haxton Way Bellingham, WA 98226		JUN 13 2003 CR03 0213P	
		DOCKET NUMBER (Tran. Court) 01CR01454-001-TUC-RCC DOCKET NUMBER (Rec. Court) DIVISION Tucson	
DISTRICT District Of Arizona		NAME OF SENTENCING JUDGE Raner C. Collins	
JUN 06 2003 <u>KN</u>		DATES OF PROBATION/SUPERVISED RELEASE: FROM 02/28/03 TO 02/27/06	
OFFENSE Possession with Intent to Distribute Marijuana		FILED <u>ENTERED</u> LODGED <u>RECEIVED</u> MAY 21 2003 <u>KN</u>	
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>DISTRICT OF ARIZONA</u>			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the Western District of Washington upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
<u>5-12-03</u> Date		 Raner C. Collins, United States District Judge	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>Western District of Washington</u>			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<u>June 6, 2003</u> Effective Date		 United States District Judge	

33

FILED

2001 OCT 10 P 5:51

RICHARD H. WEARE, CLERK
U.S. DIST. COURT FOR THE
DISTRICT OF ARIZONA

BY 
DEPUTY CLERK

1 PAUL K. CHARLTON
United States Attorney
2 District of Arizona
JOSEPH E. KOEHLER
3 Assistant U.S. Attorney
State Bar No. 013288
4 405 West Congress, Suite 4800
Tucson, Arizona 85701-5040
5 Telephone: 520-620-7300
Attorneys for Plaintiff

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF ARIZONA

RCC(JC)

CR01 1454 TUC

9 United States of America,
10 Plaintiff,

INDICTMENT

11 vs.

Violation: 21 USC § 841(a)(1)
21 USC § 841(b)(1)(C)

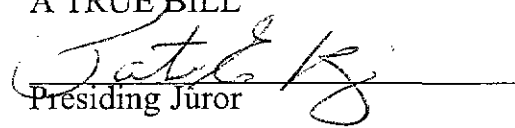
12 Wayne Ochoa, Jr.,
13 Defendant.

(Possession With Intent to Distribute
Marijuana)

14 THE GRAND JURY CHARGES:

15 On or about September 14, 2001, at or near Three Points, in the District of Arizona,
16 WAYNE OCHOA, JR., did knowingly and intentionally possess with intent to distribute 173.9
17 pounds of marijuana, a Schedule I controlled substance; in violation of Title 21, United States
18 Code, Sections 841(a)(1) and (b)(1)(C).
19

20 A TRUE BILL


21 
22 Presiding Juror

23 PAUL K. CHARLTON
United States Attorney
24 District of Arizona

25 
26 Assistant U.S. Attorney

hereby attest and certify on
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my
legal custody.

OCT 10 2003 JUN 2003
CLERK U.S. DISTRICT COURT
DISTRICT OF ARIZONA

BY 
DEPUTY

9

United States of America

v.

WAYNE OCHOA JR.
4188 HAXTON WAY
BELLINGHAM, WA 98226

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

JUDGMENT IN A CRIMINAL CASE

For Offenses Committed on or After November 1, 1987)

No. CR 01-01454-001-TUC-RCC (JCC)

Antonio Felix (Appointed)
Attorney for Defendant

USM#: UNKNOWN DOB: 09/10/1981 SSN: 601-05-0234

THE DEFENDANT ENTERED A PLEA OF guilty on 2/6/02 to the Indictment.

ACCORDINGLY, THE COURT HAS ADJUDICATED THAT THE DEFENDANT IS GUILTY OF THE FOLLOWING OFFENSE(S): violating Title 21, USC §841(a)(1)&(b)(1)(C), Possession with Intent to Distribute Marijuana, a Class C Felony offense, as charged in the Indictment.

IT IS THE JUDGMENT OF THIS COURT THAT the defendant is hereby committed to the custody of the Bureau of Prisons for a term of **EIGHTEEN (18) MONTHS** on the Indictment, with credit for time served. Upon release from imprisonment the defendant shall be placed on supervised release for a term of **THIRTY SIX (36) MONTHS** on the Indictment.

CRIMINAL MONETARY PENALTIES

The defendant shall pay to the Clerk, U.S. District Court, Attn: Finance, Suite, 130, 401 West Washington St., SPC 1, Phoenix, Arizona 85003-2118, the following total criminal monetary penalties:

SPECIAL ASSESSMENT: \$100.00

FINE: \$0

RESTITUTION: \$0

All monetary penalties are due immediately or in regular monthly installments. If incarcerated, payments shall begin under the Bureau of Prisons Inmate Financial Responsibility Program. Any unpaid balance shall become a condition of supervision and shall be paid prior to the expiration of supervision.

The total special assessment of \$100.00 shall be paid pursuant to Title 18, United States Code, Section 3013 for the Indictment.

IT IS ORDERED the bond in this matter shall be exonerated (CASH AND PERSONAL APPEARANCE)

Until all restitutions, fines, special assessments and costs are fully paid, the defendant shall immediately notify the Clerk, U.S. District Court, of any change in name and address.

SUPERVISED RELEASE

Upon release from imprisonment, the defendant is placed on supervised release for a term of **THIRTY SIX (36) MONTHS** on the Indictment.

30.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

For offenses committed on or after September 13, 1994: The defendant shall refrain from any unlawful use of a controlled substance. Pursuant to 18 USC §3563(a)(4) and 3583(d) the defendant shall submit to one drug test within 15 days of release from imprisonment and such other periodic drug tests thereafter, as directed from time to time by the probation officer.

The defendant shall not possess a firearm, ammunition or other dangerous weapon as defined in 18 U.S.C. §921.

The defendant shall comply with the standard conditions of supervision:

- 1) You shall not commit another federal, state, or local crime during the term of supervision.
- 2) You shall not leave the judicial district or other specified geographic area without the permission of the Court or probation officer.
- 3) You shall report to the Probation Office as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.
- 4) You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 5) You shall support your dependents and meet other family responsibilities.
- 6) You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 7) You shall notify the probation officer at least ten days prior to any change of residence or employment.
- 8) You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician. Possession of controlled substances will result in mandatory revocation of your term of supervision. If ordered by the Court to participate in a drug and/or alcohol abuse treatment program, you shall totally abstain from the use of any alcoholic beverages or other intoxicants during and after the course of your treatment.
- 9) You shall not frequent places where controlled substances are illegally sold, used, distributed or administered, or other places specified by the Court.
- 10) You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 11) You shall permit a probation officer to visit at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 12) You shall immediately notify the probation officer (within forty-eight (48) hours if during a weekend or on a holiday) of being arrested or questioned by a law enforcement officer.
- 13) You shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court.
- 14) As directed by the probation officer, you shall notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and shall permit the probation officer to make such notification and to confirm your compliance with such notification requirement.
- 15) You shall refrain from possessing a firearm, destructive device, or other dangerous weapon. Possession of a firearm will result in mandatory revocation of your term of supervision. This prohibition does not apply to misdemeanor cases unless special condition imposed by Court.
- 16) Unless suspended by the Court, you shall submit to one substance abuse test within the first 15 days of supervision and at least two periodic substance abuse tests thereafter, pursuant to 18 U.S.C. §§ 3563(a)(4) and 3583(d);
- 17) If supervision follows a term of imprisonment, you shall report in person to the Probation Office in the district to which you are released within seventy-two (72) hours of release.
- 18) The balance of any financial obligation ordered by this Court shall be paid in regular monthly installments approved by the probation officer, the full amount to be paid 90 days prior to expiration of supervision. You will notify the probation officer of any material change in your

economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

The defendant shall also comply with the following special conditions:

1. You shall participate as instructed by the probation officer in a program of substance abuse treatment which may include testing for substance abuse. You shall contribute to the cost of treatment in an amount to be determined by the probation officer.
2. You shall submit to search of person, property, vehicles, business, and residence to be conducted in a reasonable manner and at a reasonable time by, or at the direction of, the probation officer.
3. You shall provide the probation officer access to any requested financial information.
4. You are prohibited from making major purchases, incurring new financial obligations, or entering into any financial contracts without the prior approval of the probation officer.
5. You shall participate in a mental health program as directed by the probation officer which may include taking prescribed medication. You shall contribute to the cost of treatment in an amount to be determined by the probation officer.
6. You shall abstain from all use of alcohol or alcoholic beverages and any drugs unless prescribed by a medical doctor.

UNLESS PREVIOUSLY WAIVED, THE DEFENDANT IS ADVISED OF THE RIGHT TO APPEAL THE IMPOSED SENTENCE BY FILING A NOTICE OF APPEAL WITHIN 10 DAYS FROM THE IMPOSITION OF SENTENCE.

The Court may change the conditions of probation or supervised release or extend the term of supervision, if less than the authorized maximum, at any time during the period of probation or supervised release. The Court may issue a warrant and revoke the original or any subsequent sentence for a violation occurring during the period of probation or supervised release.

IT IS FURTHER ORDERED that the Clerk of the Court deliver two certified copies of this judgment to the United States Marshal of this district.

The Court orders commitment to the custody of the Bureau of Prisons and recommends: that the defendant be placed in an institution where he can participate in the BOOT CAMP PROGRAM.

Date of Imposition of Sentence: **Friday, April 19, 2002**

 _____
RAMER C. COLLINS, United States District Judge

Date

4-19-2002

RETURN

I have executed this Judgment as follows: _____

Defendant delivered on _____ to _____ at _____ the institution designated by the Bureau of Prisons, with a certified copy of this judgment in a _____

United States Marshal

By: _____

Deputy Marshal

CC: USA/CNSL(Antonio Felix)/PROB(1)/PTS/FIN/JUDGE/USM(2-certified) Order Book

13 JUN 2003
CLERK U.S. DISTRICT COURT
DISTRICT OF ARIZONA
DEPUTY

CLOSED DFTSEN
3DAYS

U.S. District Court
U.S. District Court for the District of Arizona (Tucson)

CRIMINAL DOCKET FOR CASE #: 01-CR-1454-ALL

USA v. Ochoa

Filed: 10/10/01

Other Dkt # 4:01-m -01102

Case Assigned to: Judge David C Bury
Case Referred to: Mag Judge James C Carruth

WAYNE OCHOA, JR (1)
dft

Antonio Felix
FAX (520)629-0197
[COR LD NTC ret]
-
110 S Church Ave
Ste 9300
Tucson, AZ 85701
(520)629-9069

Pending Counts:

Disposition

CT 1:21:841(a)(1) and
(b)(1)(C) Possession with
Intent to Distribute
Marijuana.
(1)

BOP Imprisonment for a term of
eighteen months on the
Indictment with credit for time
served. Supervised Release
for a term of thirty six months
on the Indictment. s/a
\$100.
(1)

Offense Level (opening): 4

Terminated Counts:

NONE

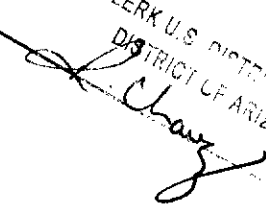
Complaints:

NONE

U. S. Attorneys:

Daniel Jon Santander
FAX (520)620-7324

I hereby attest and certify that
the foregoing document is a full, true and correct
copy of the original on file in my office and in my
legal custody.

BY  CLERK U.S. DISTRICT COURT
DISTRICT OF ARIZONA
DEPUTY

Proceedings include all events.
4:01cr1454-ALL USA v. Ochoa

CLOSED
DFTSEN
3DAYS

[COR LD NTC usa]
US Attorney's Office
405 W Congress St
Ste 4800
Tucson, AZ 85701-4050
(520)620-7300

Joseph Edward Koehler, Esq
[term 03/15/02]
FAX (602)514-7694
[COR LD NTC usa]
US Attorney's Office
2 Renaissance Sq
40 N Central
Ste 1200
Phoenix, AZ 85004-4408
(602)514-7500

Proceedings include all events.

CLOSED

4:01crl454-ALL USA v. Ochoa

DFTSEN

3DAYS

9/14/01 -- DEFENDANT Wayne Ochoa Jr arrested. Wayne Ochoa (1) count(s)
cmp
[4:01-m -1102] (sjd) [Entry date 09/24/01]

9/14/01 1 COMPLAINT filed as to Wayne Ochoa Jr
[4:01-m -1102] (sjd) [Entry date 09/24/01]

9/17/01 2 (FILED: 9/18/01) MINUTES: before Magistrate Judge
Bernardo P. Velasco first appearance of Wayne Ochoa Jr;
informed of rights, charges, etc.; government's motion for
detention and request for continuance of the detention
hearing granted; defendant shall be temporarily detained in
the custody of the USM; detention and preliminary hearing
set for 9/19/01 at 10:15 before Magistrate Judge Pyle [cc:
usa,cnsl,psa] [2-2]
[4:01-m -1102] (sjd) [Entry date 09/24/01]

9/19/01 3 (FILED: 9/19/01) MINUTES: before Magistrate Judge Charles
R. Pyle dft Wayne Ochoa Jr appears with counsel Antonio
Felix; detention hearing continued to 9/21/01 at 10:15
before Magistrate Judge Pyle; preliminary hearing waived;
dft held to answer before District Court [cc:
usa,cnsl,psa] [3-2]
[4:01-m -1102] (sjd) [Entry date 09/24/01]

9/21/01 4 (FILED: 9/21/01) MINUTES: before Magistrate Judge Charles
R. Pyle CASH/PAB bond set for Wayne Ochoa Jr in the
amount of \$ 7,000; detention hearing held [cc:
USA,CNSL,PSA] [4-2]
[4:01-m -1102] (sjd) [Entry date 09/24/01]

9/24/01 5 AFFIDAVIT re: appearance bond (Cash Security) as to Wayne
Ochoa Jr in the amount of \$ 2,000 by Jesus M Gastelum
[4:01-m -1102] (sjd) [Entry date 09/25/01]

9/25/01 6 (FILED: 9/25/01) MINUTES: before Magistrate Judge Charles
R. Pyle CASH/PAB bond set for Wayne Ochoa Jr in the
amount of \$ 7,000; dft is release with standard conditions
[cc: usa,cnsl,psa] [6-2]
[4:01-m -1102] (sjd) [Entry date 09/25/01]

9/25/01 7 ORDER by Magistrate Judge Charles R. Pyle setting
conditions of release; Bond set to \$2,000 CASH \$5,000
PAB for Wayne Ochoa.
[4:01-m -1102] (sjd) [Entry date 09/25/01]

9/25/01 7 CASH/PAB BOND filed in the amount of \$ 7,000 as to Wayne
Ochoa Jr; ordered by Magistrate Judge Charles R. Pyle
[4:01-m -1102] (sjd) [Entry date 09/25/01]

9/25/01 8 NOTICE of appearance of attorney Antonio Felix for Wayne
Ochoa Jr: for all further proceedings through filing of a
notice of appeal if required
[4:01-m -1102] (sjd) [Entry date 09/26/01]

Proceedings include all events.
4:01cr1454-ALL USA v. Ochoa

CLOSED
DFTSEN
3DAYS

10/10/01 9 INDICTMENT by USA attorney Joseph Edward Koehler. Counts filed against Wayne Ochoa (1) count(s) 1 ; Arraignment set for 11:00 10/18/01 for Wayne Ochoa Jr before Judge Raner C. Collins (rec) [Entry date 10/11/01]

10/10/01 -- ORDER by Judge Raner C. Collins : Case referred to Mag Judge James C. Carruth (cc: all counsel) (rec) [Entry date 10/11/01]

10/12/01 11 WAIVER of Personal Appearance at Arraignment and Entry of Plea of Not Guilty by Wayne Ochoa Jr (rec) [Entry date 10/19/01]

10/15/01 10 WAIVER of Personal Appearance at Arraignment and Entry of Plea of not Guilty by Wayne Ochoa Jr (rec) [Entry date 10/16/01]

10/18/01 12 (FILED: 10/18/01) MINUTES: before Mag Judge Glenda E. Edmonds dft Wayne Ochoa Jr arraigned; not guilty plea entered; Attorney present,, ; pretrial motions due 11/9/01 for Wayne Ochoa Jr ;plea deadline 12/7/01 by 5pm; trial 12/18/01 at 9:00am before Judge Collins; pretrial motions hearing set for 10:00 11/19/01 for Wayne Ochoa JrGovernments plea offer dealine 11/19/01 before Mag Judge James C. Carruth [cc: all cns1] [12-4] (rec) [Entry date 10/19/01]

10/26/01 13 NOTICE of plea offer by USA as to dft Wayne Ochoa Jr (rec) [Entry date 10/29/01]

Proceedings include all events.

4:01cr1454-ALL USA v. Ochoa

CLOSED

DFTSEN

3DAYS

- 11/14/01 14 MOTION to continue jury trial for sixty days [14-1] by Wayne Ochoa Jr (rec) [Entry date 11/15/01]
- 11/14/01 16 NOTICE Acknowledgment of Trial Date, Trial 12/18/01 at 9am, Motions Hearing 11/19/01 at 10am, Plea Deadline 12/7/01 at 5pm by Wayne Ochoa Jr. (rec) [Entry date 11/19/01]
- 11/19/01 17 ORDER by Judge Raner C. Collins granting motion to continue jury trial for sixty days [14-1] ; pretrial motion hrg vacated, plea deadline 2/8/02; trial set for 9:00 2/26/02 for Wayne Ochoa Jr, before Judge Raner C. Collins, excludable delay XT started 12/18/01 and end 2/26/02 (rec) [Entry date 11/26/01]
- 1/17/02 18 NOTICE of hearing change of plea scheduled for February 6,02 at 9:45am before Judge Carruth by dft Wayne Ochoa Jr re: hearing [18-1] (rec) [Entry date 01/22/02]
- 2/6/02 19 ORDER by Judge Raner C. Collins and consent of Wayne Ochoa Jr for referral to Magistrate Judge Carruth for change of plea. (rec) [Entry date 02/06/02]
- 2/6/02 20 (FILED: 2/6/02) MINUTES: before Mag Judge James C. Carruth Wayne Ochoa (1) count(s) 1 enters a plea of guilty, ; sentencing set for 8:40 4/19/02 for Wayne Ochoa Jr, before Judge Raner C. Collins, [cc: all cnsl] [20-4] (rec) [Entry date 02/06/02]
- 2/8/02 21 ORDER by Judge Raner C. Collins of the Findings and Recommendation upon a plea of guilty as to Wayne Ochoa Jr (rec) [Entry date 02/12/02]
- 3/15/02 22 NOTICE of substitution of attorney for USA : Daniel Jon Santander appears and terminating attorney Joseph Edward Koehler for USA (rec) [Entry date 03/18/02]
- 3/26/02 23 ARREST WARRANT returned executed on 3/26/02 as to Wayne Ochoa Jr (sjd) [Entry date 03/27/02]
- 3/26/02 24 PETITION TO REVOKE pretrl as to Wayne Ochoa Jr; petition filed on 3/14/02. (sjd) [Entry date 03/27/02]
- 3/26/02 25 (FILED: 3/27/02) MINUTES: before Mag Judge Nancy F. Fiora . Interpreter: C Feaster. re: [24-1] ; appearance on petition for violation of pretrial release; dft denies allegations; government requests detention; evidentiary hearing set for 1:30 4/10/02 for Wayne Ochoa Jr, before Mag Judge James C. Carruth; dft is ordered detained pending disposition of matter [cc: usa,cnsl,psa,po,jdg,usm] [25-3] (sjd) [Entry date 03/27/02]

Proceedings include all events.

CLOSED

4:01cr1454-ALL USA v. Ochoa

DFTSEN

3DAYS

- 4/10/02 26 (FILED: 4/11/02) MINUTES: Revocation Proceedings before Mag Judge James C. Carruth . . re: [24-1] Dft admit allegation 4 & 5; sentencing set for 8:40 4/19/02 for Wayne Ochoa Jr, before Judge Raner C. Collins, ; revocation hrg held as to Wayne Ochoa JR [cc: all cns1] [26-4] (rec) [Entry date 04/11/02]
- 4/17/02 27 Sentencing Memorandum by dft Wayne Ochoa Jr. (rec) [Entry date 04/19/02]
- 4/19/02 28 The Court has ORDERED that effective April 29, 2002, the above captioned matter is reassigned to Judge David C. Bury for all further proceedings. Any scheduled hearing, conference, or trial in this action remains as scheduled and will be placed on the calendar of Judge David C. Bury . All further pleadings and papers filed in this action should bear the complete case number and judge's initials, as shown above. (cc: all counsel,usa,po,psa,rcc,dcb) [28-1], ; sentencing set for 8:40 4/19/02 for Wayne Ochoa Jr, before Judge David C. Bury (sjd) [Entry date 04/19/02]
- 4/19/02 29 (FILED: 4/22/02) MINUTES: before Judge Raner C. Collins . Ct Rptr: Bonnie Brunotte .; sentencing held as to Wayne Ochoa JR. BOP Imprisonment for a period of 18 months on the indictment. Supervised Release 36 months. s/a \$100. Order Bond Exonerated(Cash And Personal Appearance) [cc: all cns1] [29-2] (rec) [Entry date 04/22/02]
- 4/19/02 30 JUDGMENT and Commitment issued as to Wayne Ochoa Jr sentencing for Wayne Ochoa (1) count(s) 1. BOP Imprisonment for a term of eighteen months on the Indictment with credit for time served. Supervised Release for a term of thirty six months on the Indictment. s/a \$100., Case closed ; ordered by Judge Raner C. Collins (rec) [Entry date 04/22/02]
- 5/21/02 31 RECEIPT in the amount of \$2,019.33 check #378611 by dft Wayne Ochoa Jr (rec) [Entry date 05/21/02]
- 1/2/03 32 Memorandum by BOP re dft's completion of the Intensive Confinement Center program as to dft Wayne Ochoa Jr (sjd) [Entry date 01/07/03]
- 5/12/03 33 TRANSFER of probation purs to 18:3605 to the Western District of Washington as to dft Wayne Ochoa Jr by Judge Raner C. Collins (rec) [Entry date 06/13/03]